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FEDERAL REGISTER

VOLUME 25 NUMBER 97

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Rules and Regulations

Title 7—AGRICULTURE

Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

COUNTIES DESIGNATED FOR BARLEY CROP INSURANCE; APPENDIX

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties are hereby added to the list of counties published December 29, 1959, which were designated for barley crop insurance for the 1961 crop year.

CALIFORNIA

Colusa.	Yolo.
Glenn.	

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] F. N. MCCARTNEY,
Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 60-4467; Filed, May 17, 1960; 8:47 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

COUNTIES DESIGNATED FOR DRY EDIBLE BEAN CROP INSURANCE; APPENDIX

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties have been designated for dry edible bean crop insurance for the 1961 crop year. The class(es) of beans on which insurance is offered is shown opposite the name of the county.

State and county	*Class(es) of beans insured*
Colorado:	
Dolores	Pinto.
Larimer	Pinto.
Montezuma	Pinto.
Morgan	Pinto.
Weld	Pinto.
Idaho:	
Cassia	Great Northern, Pinto, Small Red.
Gooding	Great Northern, Pinto, Small Red.
Jerome	Great Northern, Pinto, Small Red.
Minidoka	Great Northern, Pinto, Small Red.
Twin Falls	Great Northern, Pinto, Small Red.
Michigan:	
Bay	Pea and Medium White.
Gratiot	Pea and Medium White.
Huron	Pea and Medium White.
Saginaw	Pea and Medium White.
St. Clair	Pea and Medium White.
Sanilac	Pea and Medium White.
Shiawassee	Pea and Medium White.
Nebraska:	
Morrill	Great Northern, Pinto.
Scotts Bluff	Great Northern, Pinto.
Box Butte	Great Northern, Pinto.
Washington:	
Grant	Great Northern, Pinto, Small Red, Flat Small White.
Wyoming:	
Goshen	Great Northern, Pinto.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] F. N. MCCARTNEY,
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Federal Crop Insurance Corporation.

[F.R. Doc. 60-4468; Filed, May 17, 1960; 8:47 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

COUNTIES DESIGNATED FOR CORN CROP INSURANCE; APPENDIX

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties have been designated for corn crop insurance for the 1961 crop year.

COLORADO

Larimer.	Weld.
Morgan.	

ILLINOIS

Adams.	McLean.
Bond.	Macoupin.
Carroll.	Madison.
Cass.	Mason.
Christian.	Menard.
Clinton.	Monroe.
Douglas.	Montgomery.
Effingham.	Morgan.
Fayette.	Pike.
Ford.	St. Clair.
Fulton.	Sangamon.
Greene.	Schuyler.
Grundy.	Scott.
Jasper.	Shelby.
Jersey.	Tazewell.
Livingston.	Vermilion.
McDonough.	Winnebago.

INDIANA

Allen.	Madison.
Blackford.	Marshall.
Boone.	Miami.
Carroll.	Montgomery.
Clinton.	Noble.
Clay.	Pulaski.
Decatur.	Randolph.
De Kalb.	Ripley.
Delaware.	Rush.
Fountain.	Shelby.
Howard.	Sullivan.
Huntington.	Vigo.
Jackson.	Wayne.
Johnson.	Wells.
Kosciusko.	Whitley.

IOWA

Adair.	Jones.
Audubon.	Kossuth.
Boone.	Linn.
Buchanan.	Lyon.
Buena Vista.	Madison.
Calhoun.	Mahaska.
Carroll.	Mitchell.
Cass.	O'Brien.
Cerro Gordo.	Osceola.
Chickasaw.	Polk.
Clay.	Poweshiek.
Clayton.	Shelby.
Crawford.	Sac.
Delaware.	Sioux.
Emmett.	Story.
Fayette.	Tama.
Floyd.	Union.
Franklin.	Warren.
Fremont.	Washington.
Guthrie.	Webster.
Hancock.	East Pottawattamie.
Hardin.	West Pottawattamie.
Howard.	Winnebago.
Humboldt.	Winneshiek.
Ida.	Worth.

KANSAS

Atchison.	Linn.
Bourbon.	Marshall.
Brown.	Nemaha.
Franklin.	Washington.
Jackson.	

MARYLAND

Kent.	Queen Annes.

MICHIGAN

Branch.	Lenawee.
Calhoun.	Monroe.
Gratiot.	Saginaw.
Hillsdale.	St. Clair.
Jackson.	St. Joseph.
Kalamazoo.	

MINNESOTA

Blue Earth.	Mower.
Brown.	Murray.
Chippewa.	Nicollet.
Cottonwood.	Nobles.
Dakota.	Pipestone.
Dodge.	Redwood.
Faribault.	Renville.
Goodhue.	Rice.
Jackson.	Rock.
Kandiyohi.	Stearns.
Lac Qui Parle.	Steele.
Lincoln.	Stevens.
Lyon.	Swift.
McLeod.	Wabasha.
Martin.	Watonwan.
Meeker.	Yellow Medicine.

MISSOURI

Andrew.	Jasper.
Atchison.	Johnson.
Audrain.	Lafayette.
Bates.	Lawrence.
Buchanan.	Marion.
Calloway.	Macon.
Carroll.	Monroe.
Cass.	Nodaway.
Chariton.	Pettis.
Cooper.	Pike.
Daviess.	Ralls.
De Kalb.	St. Charles.
Franklin.	Saline.
Gentry.	Shelby.
Henry.	Vernon.
Howard.	Worth.
Holt.	

NEBRASKA

Boone.
Butler.
Cass.
Cedar.
Colfax.
Cuming.
Dodge.
Nemaha.
Pawnee.
Pierce.
Richardson.
Saunders.
Stanton.
Washington.
Wayne.
York.

OHIO

Allen.
Ashland.
Auglaize.
Delaware.
Erie.
Fayette.
Greene.
Hancock.
Hardin.
Henry.
Huron.
Knox.
Licking.
Marion.
Medina.
Mercer.
Montgomery.
Morrow.
Paulding.
Pickaway.
Preble.
Putnam.
Sandusky.
Seneca.
Stark.
Tuscarawas.
Union.
Van Wert.
Wayne.
Williams.

PENNSYLVANIA

Chester.
Lancaster.
Lebanon.

SOUTH DAKOTA

Brookings.
Clay.
Kingsbury.
Lincoln.
Minnehaha.
Moody.
Union.
Yankton.

TENNESSEE

Obion.

WISCONSIN

Columbia.
Dane.
Fond du Lac.
Grant.
Green.
Iowa.
Lafayette.
Pierce.
Rock.
Sauk.
Trempealeau.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516.)

[SEAL] F. N. MCCARTNEY,
Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 60-4469; Filed, May 17, 1960; 8:47 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

COUNTIES DESIGNATED FOR COTTON CROP INSURANCE; APPENDIX

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties have been designated for cotton crop insurance for the 1961 crop year.

ALABAMA

Blount.
Cherokee.
Colbert.
Cullman.
De Kalb.
Etowah.
Franklin.
Hale.
Jackson.
Lauderdale.
Lawrence.
Limestone.
Madison.
Marshall.
Morgan.
Pickens.
Tuscaloosa.

ARKANSAS

Arkansas.
Craighead.
Crittenden.
Jefferson.
Lincoln.
Monroe.
Phillips.
Poinsett.
St. Francis.

CALIFORNIA

Tulare.

GEORGIA

Brooks.
Bulloch.
Colquitt.
Laurens.
Tift.
Worth.

LOUISIANA

Avoyelles.
Caddo.
East Carroll.
Franklin.
Morehouse.
Natchitoches.
Rapides.
Richland.
St. Landry.
St. Martin.
Vermilion.

MISSISSIPPI

Alcorn.
Bolivar.
Coahoma.
De Soto.
Hinds.
Holmes.
Humphreys.
Jefferson Davis.
Lee.
Leflore.
Madison.
Marion.
Monroe.
Panola.
Pontotoc.
Prentiss.
Quitman.
Sunflower.
Tallahatchie.
Tunica.
Union.
Washington.
Yazoo.

NEW MEXICO

Chaves.
Dona Ana.
Eddy.

NORTH CAROLINA

Cleveland.
Edgecombe.
Franklin.
Harnett.
Iredell.
Johnston.
Lincoln.
Mecklenburg.
Nash.
Robeson.
Rutherford.
Sampson.
Warren.
Wayne.
Wilson.

OKLAHOMA

Beckham.
Tillman.
Washita.

SOUTH CAROLINA

Anderson.
Calhoun.
Chesterfield.
Clarendon.
Darlington.
Dillon.
Florence.
Greenville.
Lee.
Marlboro.
Marion.
Orangeburg.
Spartanburg.
Sumter.
Williamsburg.
York.

TENNESSEE

Carroll.
Fayette.
Gibson.
Hardeman.
Haywood.
Lake.
Lauderdale.
McNairy.
Madison.
Obion.
Shelby.
Tipton.
Weakley.

TEXAS

Bailey.
Bell.
Cameron.
Castro.
Collin.
Crosby.
Ellis.
Falls.
Fannin.
Floyd.
Fort Bend.
Grayson.
Hale.
Hidalgo.
Hill.
Hockley.
Hunt.
Lamar.
Lamb.
Limestone.
Lubbock.
McLennan.
Milam.
Navarro.
Nueces.
San Patricio.
Swisher.
Travis.
Willacy.
Williamson.
Wharton.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] F. N. MCCARTNEY,
Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 60-4470; Filed, May 17, 1960; 8:47 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

COUNTIES DESIGNATED FOR FLAX CROP INSURANCE; APPENDIX

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties have been designated for flax crop insurance for the 1961 crop year.

MINNESOTA

Becker.
Big Stone.
Brown.
Chippewa.
Clay.
Cottonwood.
Grant.
Jackson.
Kittson.
Lac Qui Parle.
Lincoln.
Lyon.
Mahnomen.
Marshall.
Martin.
Murray.
Nobles.
Norman.
Pennington.
Pipestone.
Polk, East.
Polk, West.
Pope.
Redwood.
Renville.
Rock.
Roseau.
Stevens.
Swift.
Traverse.
Wilkin.
Yellow Medicine.

NORTH DAKOTA

Barnes.
Benson.
Bottineau.
Cass.
Cavalier.
Dickey.
Eddy.
Emmons.
Foster.
Grand Forks.
Griggs.
La Moure.
Logan.
McIntosh.
McLean.
Nelson.
Pembina.
Pierce.
Ramsey.
Ransom.
Richland.
Rolette.
Sargent.
Steele.
Stutsman.
Towner.
Traill.
Walsh.
Ward.
Wells.

SOUTH DAKOTA

Brookings.
Brown.
Clark.
Codington.
Day.
Deuel.
Grant.
Hamlin.
Kingsbury.
Marshall.
Roberts.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] F. N. MCCARTNEY,
Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 60-4471; Filed, May 17, 1960; 8:47 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

COUNTIES DESIGNATED FOR GRAIN SORGHUM CROP INSURANCE; APPENDIX

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties have been designated for grain sorghum crop insurance for the 1961 crop year.

KANSAS

Stafford.

OKLAHOMA

Caddo.

TEXAS

Hale.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] F. N. McCARTNEY,
Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 60-4472; Filed, May 17, 1960; 8:47 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

COUNTIES DESIGNATED FOR OAT CROP INSURANCE; APPENDIX

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties have been designated for oat crop insurance for the 1961 crop year.

IOWA

Delaware.
Emmet.
Howard.
Humboldt.
Ida.

MICHIGAN

Gratiot.
Jackson.

MINNESOTA

Dakota.
East Polk.
Goodhue.
Kandiyohi.
McLeod.
Stearns.
Stevens.
Swift.

NORTH DAKOTA

Dickey.
Grand Forks.
La Moure.
Ransom.
Sargent.
Steele.

PENNSYLVANIA

Chester.

SOUTH DAKOTA

Grant.
Kingsbury.

WISCONSIN

Fond du Lac.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] F. N. McCARTNEY,
Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 60-4473; Filed, May 17, 1960; 8:47 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

COUNTY DESIGNATED FOR ORANGE CROP INSURANCE; APPENDIX

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following county has been designated for orange crop insurance for the 1961 crop year.

CALIFORNIA

Tulare.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] F. N. McCARTNEY,
Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 60-4474; Filed, May 17, 1960; 8:47 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

COUNTY DESIGNATED FOR PEACH CROP INSURANCE; APPENDIX

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following county has been designated for peach crop insurance for the 1961 crop year.

SOUTH CAROLINA

Spartanburg.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516.)

[SEAL] F. N. McCARTNEY,
Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 60-4475; Filed, May 17, 1960; 8:47 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

COUNTIES DESIGNATED FOR RICE CROP INSURANCE; APPENDIX

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties have been designated for rice crop insurance for the 1961 crop year.

ARKANSAS

Arkansas.
St. Francis.
Poinsett.

LOUISIANA

St. Landry.
Vermilion.
St. Martin.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] F. N. McCARTNEY,
Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 60-4476; Filed, May 17, 1960; 8:47 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

COUNTIES DESIGNATED FOR SOYBEAN CROP INSURANCE; APPENDIX

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties have been designated for soybean crop insurance for the 1961 crop year.

ARKANSAS

Arkansas.
Crittenden.
Poinsett.

ILLINOIS

Adams.
Bond.
Cass.
Christian.
Clinton.
Douglas.
Effingham.
Fayette.
Ford.
Fulton.
Greene.
Jasper.
Jersey.
Livingston.
McDonough.
McLean.
Macoupin.
Madison.
Mason.
Menard.
Monroe.
Montgomery.
Morgan.
Pike.
St. Clair.
Sangamon.
Schuyler.
Scott.
Shelby.
Tazewell.
Vermilion.

INDIANA

Allen.
Blackford.
Boone.
Clay.
Carroll.
Clinton.
Decatur.
De Kalb.
Delaware.
Fountain.
Howard.
Huntington.
Jackson.
Johnson.
Kosciusko.
Madison.
Marshall.
Miami.
Montgomery.
Noble.
Pulaski.
Randolph.
Ripley.
Rush.
Shelby.
Sullivan.
Vigo.
Wayne.
Wells.
Whitley.

IOWA

Adair.
Audubon.
Boone.
Buena Vista.
Buchanan.
Calhoun.
Carroll.
Cass.
Cerro Gordo.
Chickasaw.
Clay.
Crawford.
Delaware.
Emmett.
Fayette.
Floyd.
Franklin.
Fremont.
Guthrie.
Hancock.
Hardin.
Howard.
Humboldt.
Ida.
Jones.
Kossuth.
Linn.
Lyon.
Madison.
Mahaska.
Mitchell.
O'Brien.
Osceola.
Polk.
East Pottawattamie.
West Pottawattamie.
Poweshiek.
Sac.
Shelby.
Sioux.
Story.
Tama.
Union.
Warren.
Washington.
Webster.
Winnebago.
Winneshiek.
Worth.

KANSAS

Bourbon.
Franklin.
Linn.

MICHIGAN

Gratiot.
Lenawee.
Monroe.
Saginaw.
St. Joseph.

MINNESOTA

Big Stone.
Blue Earth.
Brown.
Chippewa.
Cottonwood.
Dakota.
Dodge.
Faribault.
Goodhue.
Jackson.
Kandiyohi.
Lac Qui Parle.
Lincoln.
Lyon.
McLeod.
Martin.
Meeker.
Mower.
Murray.
Nicollet.
Nobles.
Pipestone.
Pope.
Redwood.
Renville.
Rice.
Rock.
Stearns.
Steele.
Stevens.
Swift.
Traverse.
Wabasha.
Watonwan.
Yellow Medicine.

MISSISSIPPI

Bolivar.
Leflore.

MISSOURI

Andrew.
Audrain.
Bates.
Buchanan.
Callaway.
Carroll.

MISSOURI—Continued

Cass.
Chariton.
Cooper.
Gentry.
Henry.
Howard.
Johnson.
Lafayette.
Macon.
Marion.
Nodaway.
Pettis.
Pike.
Ralls.
St. Charles.
Saline.
Shelby.
Vernon.
Worth.

NEBRASKA

Washington.

OHIO

Allen.
Ashland.
Auglaize.
Delaware.
Erie.
Fayette.
Greene.
Hancock.
Hardin.
Henry.
Huron.
Knox.
Licking.
Marion.
Medina.
Mercer.
Montgomery.
Morrow.
Paulding.
Pickaway.
Putnam.
Sandusky.
Seneca.
Union.
Van Wert.
Wayne.
Williams.

SOUTH CAROLINA

Calhoun.
Orangeburg.

SOUTH DAKOTA

Clay.
Lincoln.
Union.

TENNESSEE

Lauderdale.
Obion.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] F. N. MCCARTNEY,
Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 60-4477; Filed, May 17, 1960; 8:47 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

COUNTIES DESIGNATED FOR TOBACCO CROP INSURANCE; APPENDIX

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties have been designated for tobacco crop insurance for the 1961 crop year. The type(s) of tobacco on which insurance is offered in each county is shown opposite the name of the county.

CONNECTICUT

Hartford	51, 52

FLORIDA

Alachua	14
Columbia	14
Hamilton	14
Madison	14
Suwannee	14

GEORGIA

Bacon	14
Berrien	14
Brooks	14
Bulloch	14
Candler	14
Coffee	14
Colquitt	14
Cook	14
Irwin	14
Lowndes	14
Mitchell	14
Pierce	14
Tift	14
Ware	14
Worth	14

KENTUCKY

Adair	31
Allen	31, 35
Anderson	31
Barren	31
Bath	31
Bourbon	31
Bracken	31
Breckinridge	31
Caldwell	22, 31, 35
Calloway	23, 35
Casey	31
Christian	22, 31, 35
Clark	31
Daviess	31, 36
Fleming	31
Franklin	31
Garrard	31
Grant	31
Graves	23, 31, 35
Green	31
Harrison	31
Hart	31
Henry	31
Larue	31
Lincoln	31
Logan	22, 31, 35
Mason	31
Mercer	31
Metcalfe	31
Montgomery	31
Nelson	31
Nicholas	31
Owen	31
Pendleton	31
Pulaski	31
Robertson	31
Russell	31
Scott	31
Simpson	31, 35
Spencer	31
Todd	22, 31, 35
Warren	31, 35
Washington	31
Wayne	31
Woodford	31

MARYLAND

Charles	32
Calvert	32
St. Marys	32

MASSACHUSETTS

Hampshire	52

NORTH CAROLINA

Alamance	11a
Beaufort	12
Bladen	13
Brunswick	13
Buncombe	31
Caswell	11a
Columbus	13
Cumberland	13
Davidson	11a
Duplin	12
Edgecombe	12
Forsyth	11a
Franklin	11b
Granville	11b
Greene	12
Guilford	11a
Harnett	11b
Iredell	11a
Jones	12
Johnston	12
Lee	11b
Lenoir	12
Madison	31
Martin	12
Moore	11b
Nash	12
Person	11a
Pitt	12
Robeson	13
Rockingham	11a
Sampson	12
Stokes	11a
Surry	11a
Vance	11b
Wake	11b
Warren	11b
Wayne	12
Wilson	12
Yadkin	11a

OHIO

Adams	31
Brown	31
Highland	31

PENNSYLVANIA

Lancaster	41
Lebanon	41

SOUTH CAROLINA

Chesterfield	13
Clarendon	13
Darlington	13
Dillon	13
Florence	13
Horry	13
Lee	13
Marion	13
Marlboro	13
Sumter	13
Williamsburg	13

TENNESSEE

Claiborne	31
De Kalb	31
Dickson	22
Franklin	31
Grainger	31
Greene	31
Hamblen	31
Hawkins	31
Johnson	31
Loudon	31
Marshall	31
McMinn	31
Maury	31
Monroe	31
Montgomery	22, 31
Obion	23, 35
Putnam	31
Robertson	22, 31, 35
Sevier	31
Smith	31
Stewart	22, 31
Sullivan	31
Sumner	22, 31, 35
Trousdale	31
Unicoi	31
Washington	31
Weakley	23, 35
Williamson	31
Wilson	31

VIRGINIA

Appomattox	11a, 21
Brunswick	11a, 21
Campbell	11a, 21
Charlotte	11a, 21
Cumberland	11a, 21, 37
Dinwiddie	11a, 21
Halifax	11a
Lee	31
Lunenburg	11a
Mecklenburg	11a
Nottoway	11a, 21
Pittsylvania	11a
Prince Edwards	11a, 21, 37
Russell	31
Scott	31
Washington	31

WISCONSIN

Dane	54
Vernon	55

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516.)

[SEAL] F. N. MCCARTNEY,
Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 60-4478; Filed, May 17, 1960; 8:48 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

COUNTIES DESIGNATED FOR WHEAT CROP INSURANCE; APPENDIX

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties are hereby added to the list of counties published December 29, 1959, which were designated for wheat crop insurance for the 1961 crop year.

CALIFORNIA

Glenn. Yolo.

KANSAS

Jewell.

MISSOURI

Daviess.

OKLAHOMA

Woodward.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] F. N. MCCARTNEY,
Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 60-4479; Filed, May 17, 1960; 8:48 a.m.]

Chapter VIII—Commodity Stabilization Service (Sugar), Department of Agriculture

SUBCHAPTER G—DETERMINATION OF PROPORTIONATE SHARES

[Sugar Determination 850.99, as Amended, Supp. 18]

PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

Idaho Proportionate Share Areas and Farm Proportionate Shares for 1959 Crop

Pursuant to the provisions of the Determination of Proportionate Shares for Farms in the Domestic Beet Sugar Area, 1959 Crop (23 F.R. 7799; 24 F.R. 84, 9707), the Agricultural Stabilization and Conservation Idaho State Committee has issued the bases and procedures for dividing the State into proportionate share areas and establishing individual farm proportionate shares from the allocation of 87,914 acres established for Idaho by the determination. Copies of these bases and procedures are available for public inspection at the office of such committee at 1524 Vista Street, Boise, Idaho, and at the offices of the Agricultural Stabilization and Conservation Committees in the sugar beet producing counties of Idaho. These bases and procedures incorporate the following:

§ 850.117 Idaho.

(a) *Proportionate share areas.* Idaho shall be divided into four proportionate share areas as served by beet sugar companies. These areas shall be designated as follows: Nampa-Nyssa; Twin Falls, Burley-Rupert, Layton; Utah-Idaho; and Franklin County. Acreage allotments for these areas shall be computed on the basis of the average accredited acreage for the crop years 1955 through 1958 for each area as a measure of "past production" and "ability to produce" sugar beets, with pro rata adjustments to the State allocation of 87,914 acres. This results in the following area acreage allocations: Nampa-Nyssa Area 31,754 acres; Twin Falls, Burley-Rupert, Layton Area—35,746 acres; Utah-Idaho Area—15,268 acres; and Franklin County Area—5,146 acres.

(b) *Set-asides of acreage.* Set-asides of acreage shall be made from area allotments as follows: For new producers—Nampa-Nyssa Area—318 acres; Twin Falls, Burley-Rupert, Layton Area—357 acres; Franklin County Area—51 acres; and Utah-Idaho Area—153 acres; for appeals—Nampa-Nyssa Area—318 acres; Twin Falls, Burley-Rupert, Layton Area—357 acres; Franklin County Area—51 acres; and Utah-Idaho Area—153 acres.

(c) *Requests for proportionate shares.* A request for each farm proportionate share shall be filed at the local ASC county office on form SU-100, Request for Sugar Beet Proportionate Shares, under the conditions, and on or before the closing date for such filing, as provided in § 850.99. If a preliminary request for a tentative farm proportionate share is filed, a fully completed form SU-100 shall be filed by March 17, 1959, before a proportionate share may be established for the farm. However, requests for proportionate shares may be accepted after such dates and shares may be established if the county committee determines that in any such case the farm operator was prevented from filing a complete form SU-100 by such dates because of absence, illness or other reason beyond his control.

(d) *Establishment of individual farm proportionate shares for old-producers farms*—(1) *Farm Bases.* For each farm in the Nampa-Nyssa Area whose operator is a tenant having a personal accredited acreage record other than as a new producer, during any of the crop years 1955-58, the 1959 base shall be the larger of the results of dividing by four, his total personal history record for such years, or the accredited acreage of the farm for such years. If the operator is a tenant who operated a farm for which a new-producer share was established in any of the years 1956-58, the 1959 base shall be the largest of the acreage resulting from dividing by four the total personal accredited acreage of such tenant for the years 1956 through 1958, the result of dividing by four the total farm history for the years 1955 through 1958, or the 1958-crop accredited acreage of the farm operated by him in 1958 but not to exceed the 1958 established share for such farm. If the operator is the owner of the farm other than as a former new producer, or is a tenant without a personal history record, the 1959 base shall be the result of dividing by four the total accredited acreage record for the farm during the crop years 1955 through 1958. If the operator is the owner-operator of a farm for which a new-producer share was established in any of the years 1956-58, the 1959 farm base shall be the larger of the result of dividing by four the 1956 through 1958 accredited acreage record of the farm or the 1958 accredited acreage for the farm but not to exceed the 1958 established share for the farm. For the Twin Falls, Burley-Rupert, Layton Area and the Franklin County Area, the 1959 farm base shall be the result of dividing by three the 1955 through 1957 accredited acreage record of the farm, except that for any such farm for which a new-producer share was established in any of the years 1956-58, the farm base shall be the larger of the 1956-57 average accredited acreage or the 1958 accredited acreage for the farm but not in excess of the 1958 established share for the farm. For the Utah-Idaho Area, the 1959 farm base shall be the result of dividing by four the 1955 through 1958 accredited acreage of the farm, except that for any such farm for which a new-producer share was established in any of the years 1956-58 the farm base shall be the larger of the 1956-58 average accredited acreage, or the 1958 accredited acreage for the farm but not to exceed the 1958 established share for the farm.

(2) *Initial proportionate shares.* For each of the Nampa-Nyssa and the Twin Falls, Burley-Rupert, Layton areas, the total of individual farm bases for old-producer farms, as established pursuant to this paragraph, is more than the area allotment minus the set-asides of acreage established under paragraph (b) of this section. Accordingly, initial proportionate shares shall be established from the farm bases in each of such proportionate share areas by prorating to such farms in accordance with their respective bases, the area allotment less the prescribed set-asides. For the Nampa-Nyssa Area, the proration factor shall be 0.963, and for the Twin Falls, Burley-Rupert Layton Area the proration factor shall be 0.99. For each of the Utah-Idaho and the Franklin County areas, the total of individual farm bases for old producers, as established pursuant to this paragraph is less than the area allotment minus the set-asides of acreage established under paragraph (b) of this section. Accordingly, in such areas the initial proportionate shares shall coincide with the requested acreages for farms for which the respective requested acreages are equal to or less than farm bases, and for all other farms, initial shares shall be computed by prorating to such farms in accordance with their respective bases, the area allotment less the prescribed set-asides and the total of the initial shares established so as to coincide with requested acreages. For the Utah-Idaho Area the proration factor shall be 1.015 and for the Franklin County Area, the proration factor shall be 1.02.

(3) *Adjustments in initial shares.* From acreage of initial shares in excess of requested acreages in each proportionate share area, adjustments shall be made in initial farm proportionate shares for old producers so as to establish a proportionate share for each farm which is fair and equitable as compared with proportionate shares for all other farms in the area by taking into consideration the availability and suitability

of land, area of available fields, crop rotation, availability of irrigation water, adequacy of drainage, availability of production and marketing facilities and the production experience of the operator.

(e) *Establishment of individual proportionate shares for new-producer farms.* Within the acreage set aside for new producers in each proportionate share area, proportionate shares shall be established in an equitable manner for farms to be operated during the 1959-crop year by new producers (as defined in § 850.99). The State Committee has determined that a 5.0-acre share is the minimum acreage which is economically feasible to plant as a new-producer farm share. In determining whether a farm for which a request is filed for a new-producer share may qualify for such a share, and to assist in establishing new-producer shares which are fair and equitable as to relative size among qualified farms, the State Committee shall take into consideration availability and suitability of land, adequacy of drainage, the production experience of the operator, and the availability of production and marketing facilities. In the consideration of the availability of such facilities, the combined costs of the producer and the processor for transporting beets from the farm to the nearest beet sugar factory, within broad rate limits, may be taken into account. The acreage available for establishing new-producer shares in each area shall be prorated, in minimum economic units, to counties within the area on the basis of the number of applicants within each county rated outstanding under the aforestated considerations. If there is insufficient acreage to establish shares in minimum economic units for all outstanding applicants in a county, the selection shall be made by lot.

(f) *Adjustments under appeals.* Within the acreage set aside for making adjustments under appeals and any other acreage remaining unused in each proportionate share area, adjustments shall be made in proportionate shares under appeals to establish fair and equitable farm shares in accordance with the provisions of § 850.99 applicable to appeals.

(g) *Adjustments because of unused acreage.* Any acreage made available during the 1959-crop season by underplanting or failure to plant proportionate share acreage on farms in any area, together with acreage prorated to the area by the ASC State Committee from unused set-asides of acreage or from other sources of unused acreage, shall first be made available to increase proportionate shares for other farms in such area having ability to utilize additional acreage and if such acreage is not utilized within such area, it may be made available to other areas in the State wherein additional acreage may be used.

(h) *Notification of farm operators.* The farm operator shall be notified concerning the proportionate share established for his farm on form SU–103, Notice of Farm Proportionate Share—1959 Sugar Beet Crop, even if the acreage established is "none". In each case of approved adjustment, whether resulting from the release of acreage, the redistribution of unused acreage, appeals or the reconstitution of the farm, the farm operator shall be notified regarding the adjusted proportionate share on a form SU–103–A or other similar written notice. For each tentative proportionate share which is established, the person filing the request for such share shall be notified on a form SU–103–B specifying that such tentative share does not constitute a farm proportionate share for the purpose of payment under the Sugar Act of 1948, as amended.

(i) *Redetermination of proportionate share.* The proportionate share determined for any farm which is subdivided into, combined with, or becomes a part of another farm or farms shall be redetermined as provided in § 850.99.

(j) *Determination provisions prevail.* The bases and procedures set forth in this section are issued in accordance with and subject to the provisions of § 850.99.

STATEMENT OF BASES AND CONSIDERATIONS

This supplement sets forth the bases and procedures established by the Agricultural Stabilization and Conservation Idaho State Committee for determining farm proportionate shares in Idaho in accordance with the determination of proportionate shares for the 1959 crop of sugar beets, as issued by the Secretary of Agriculture.

Idaho is divided into four proportionate share areas. Recommendations on the operation of the sugar beet program are obtained at meetings which are open to representatives of processor and growers, as well as individual sugar beet producers. In establishing proportionate shares for old-producer farms, the factors of "past production" and "ability to produce" sugar beets are measured by average accredited acreages for the crop years 1955–58 in the Nampa-Nyssa and Utah-Idaho area and 1955–57 in the Twin Falls, Burley-Rupert, Layton and Franklin County areas, except that a more favorable formula is applied in cases involving new-producer shares in 1956–58.

The procedure for establishing farm shares for new producers meets the related requirements of § 850.99. Five-acre shares are determined to be minimum economic units for new-producer farms.

The bases and procedures for making adjustments in initial proportionate shares and for adjusting shares subsequently because of unused acreage and appeals are designed to provide a fair and equitable proportionate share for each farm of the total acreage of sugar beets required to enable the domestic beet sugar area to meet its quota and provide a normal carryover inventory.

(Sec. 403, 61 Stat. 932; 7 U.S.C. Sup. 1153. Interprets or applies secs. 301, 302, 61 Stat. 929, 930 as amended; 7 U.S.C. Sup. 1131, 1132)

HERBERT A. TIEGS,
Chairman, Agricultural Stabilization and Conservation Idaho State Committee.

APRIL 5, 1960.

Approved: May 2, 1960.

LAWRENCE MYERS,
Director, Sugar Division, Commodity Stabilization Service.

[F.R. Doc. 60–4505; Filed, May 17, 1960; 8:51 a.m.]

[Sugar Determination 850.99, as Amended, Supp. 19]

PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

Oregon Proportionate Share Areas and Farm Proportionate Shares for 1959 Crop

Pursuant to the provisions of the Determination of Proportionate Shares for Farms in the Domestic Beet Sugar Area, 1959 Crop (23 F.R. 7799; 24 F.R. 84, 9707), The Agricultural Stabilization and Conservation Oregon State Committee has issued the bases and procedures for dividing the State into proportionate share areas and establishing individual farm proportionate shares from the allocation of 19,555 acres established for Oregon by the determination. Copies of these bases and procedures are available for public inspection at the office of such Committee at the Ross Building, 209 Southeast Fifth Avenue, Portland, Oregon, and at the offices of the Agricultural Stabilization and Conservation Committees in the sugar beet producing counties of Oregon. These bases and procedures incorporate the following:

§ 850.118 Oregon.

(a) *Proportionate share areas.* Oregon shall be divided into two proportionate share areas as served by the two beet sugar companies. These areas shall be designated as the Nampa-Nyssa Area and the Umatilla Area. Acreage allotments for these areas shall be computed on the basis of the average accredited acreage for the crop years 1955 through 1957 for each area as a measure of "past production" and "ability to produce" sugar beets, with pro rata adjustments to the State allocation of 19,555 acres. This results in the following area acreage allocations: Nampa-Nyssa Area—17,095 acres and Umatilla Area—2,460 acres.

(b) *Set-asides of acreage.* Set-asides of acreage shall be made from area allotments as follows: Nampa-Nyssa Area—341 acres for new producers, 180 acres for appeals, and 0 acres for adjustments in initial shares; Umatilla Area—24 acres for new producers, 23 acres for appeals, and 27 acres for adjustments in initial shares.

(c) *Requests for proportionate shares.* A request for each farm proportionate

share shall be filed at the local ASC county office on form SU–100, Request for Sugar Beet Proportionate Share, under the conditions, and on or before the closing date for such filing, provided in § 850.99. If a preliminary request for a tentative farm proportionate share is filed as provided in § 850.99, a fully completed form SU–100 shall be filed by March 17, 1959. However, requests for proportionate shares may be accepted after such dates and shares may be established if the county committee determines that in any such case the farm operator was prevented from filing a completed form SU–100 by such dates because of absence, illness or other reasons beyond his control.

(d) *Establishment of individual proportionate shares for old-producer farms*—(1) *Farm bases*—(i) *Nampa-Nyssa area.* For each farm whose operator is a tenant with a personal accredited acreage record during at least one of the crop years 1955–57 other than as a new producer, the 1959 base shall be the larger of the results of dividing by three, his personal accredited acreage record for the crop years 1955 through 1957, and the total accredited acreage record for the crop years 1955 through 1957 of the farm he will operate in 1959. If the operator is the owner of the farm other than as a former new producer, or is a tenant without a personal accredited acreage record during at least one of the crop years 1955–57, the 1959 base shall be determined by dividing by three the accredited acreage record of the farm during the crop years 1955 through 1957. If the operator is a tenant who operated a farm for which a new-producer share was established in 1956–1958, the 1959 farm base shall be the largest of the result of dividing by three the personal accredited acreage record of such tenant for the crop years 1955–57, the 1958-crop accredited acreage of the farm operated by him in 1958 but not to exceed the 1958-crop share established for such farm, or the result of dividing by three the landowner's share of the crops during the base period on the farm such tenant will operate in 1959. If the operator is the owner-operator of a farm for which a new-producer share was established in 1956–1958, the 1959 farm base shall be the larger of the result of dividing by three the total accredited acreage record of the farm for the crop years 1956 through 1957, or the 1958-crop accredited acreage of the farm but not to exceed the 1958-crop share established for the farm.

(ii) *Umatilla area.* For each farm whose operator is a tenant having a personal accredited acreage record during at least one of the crop years 1956–58 other than as a new producer, the 1959 base shall be the larger of the results of dividing by three, his personal accredited acreage record for the crop years 1956–58, and the total accredited acreage record for the crop years 1956 through 1958 of the farm he will operate in 1959. If the operator is the owner of the farm other than as a former new producer, or is a tenant without personal accredited acreage record during at least one of the crop years 1956–58, the 1959 farm base shall be the result of dividing by three the total accredited acreage record of the farm for the crop years 1956–58, except that only 50 percent of the farm's accredited acreage record will be used for any of the crop years 1956–58 which a former tenant is using as a basis of personal history for a 1959-crop share on another farm. If the operator is a tenant who operated a farm for which a new-producer share was established in 1957 or 1958, the 1959 farm base shall be the largest of the result of dividing by three the personal accredited acreage record of such tenant for the crop years 1957–58, the 1958-crop accredited acreage of the farm operated by him in 1958 but not to exceed the 1958-crop share established for such farm, or the result of dividing by three the landowner's share of the 1956–58 crops on the farm such tenant will operate in 1959. If the operator is the owner-operator of a farm for which a new producer share was established in 1957 or 1958, the 1959 farm base shall be the larger of the result of dividing by three the total accredited acreage record of the farm for the crop years 1957–1958, or the 1958-crop accredited acreage of the farm but not to exceed the 1958-crop share established for the farm.

(2) *Initial proportionate shares.* For each proportionate share area, the total of individual farm bases for old-producer farms, as established pursuant to this paragraph, is less than the area allotment minus the set-asides of acreage established under paragraph (b) of this section. Accordingly, initial proportionate shares shall be established from the farm bases in each proportionate share area as follows: For farms for which the respective requested acreages are equal to or less than their farm bases, the initial shares shall coincide with the requested acreages; for each farm with a base of less than 8.0 acres, the initial share shall equal the smaller of 8.0 acres or the requested acreage; and for all other farms, initial shares shall be computed by prorating to such farms, in accordance with their respective bases, the area allotment less the prescribed set-asides and the total of the initial shares established in accordance with the preceding part of this subparagraph. The proration factor for each area shall be 1.000.

(3) *Adjustments in initial shares.* Within the acreage available from the set-aside for adjustments, and from acreage of initial shares in excess of requested acreages in each proportionate share area, adjustments shall be made in initial farm proportionate shares for old producers so as to establish a proportionate share for each farm which is fair and equitable as compared with proportionate shares for all other farms in the area by taking into consideration availability and suitability of land, area of available fields, crop rotation, availability of irrigation water, adequacy of drainage, availability of production and marketing facilities, and the production experience of the operator.

(e) *Establishment of individual proportionate shares for new-producer farms.* Within the acreage set aside for new producers in each proportionate share area, proportionate shares shall be established in an equitable manner for farms to be operated during the 1959-crop year by new producers (as defined in § 850.99). The State Committee has determined that an 8.0-acre share is the minimum acreage which is economically feasible to plant as a new-producer farm share. In determining whether a farm for which a request is filed for a new-producer share may qualify for such a share, and to assist in establishing new-producer shares which are fair and equitable as to relative size among qualified farms, the State Committee shall take into consideration availability and suitability of land, availability of irrigation water, adequacy of drainage, the production experience of the operator, and the availability of production and marketing facilities. If the available acreage is insufficient for establishing shares in minimum economic units for all well-qualified applicants, selection shall be made by lot.

(f) *Adjustments under appeals.* Within the acreage set aside for making adjustments under appeals and any other acreage remaining unused in each proportionate share area, adjustments shall be made in proportionate shares under appeals to establish fair and equitable farm shares in accordance with the provisions of § 850.99, applicable to appeals.

(g) *Adjustments because of unused acreage.* Any acreage made available during the 1959-crop season by underplanting or failure to plant proportionate share acreage on farms in any county shall be reported to the ASC State Committee. Acreages so reported in an area, together with available acreages from unused set-asides or from other sources of unused acreage, shall be prorated insofar as practicable, on the basis of established shares, to farms in the area whereon additional acreage may be used. Any such acreage remaining unused in the area shall then be available for allocation by such committee to the other area if farms located therein are capable of utilizing more proportionate share acreage.

(h) *Notification of farm operators.* The farm operator shall be notified concerning the proportionate share established for his farm on form SU–103, Notice of Farm Proportionate Share—1959 Sugar Beet Crop, even if the acreage established is "none". In each case of approved adjustment, whether resulting from the release of acreage, the redistribution of unused acreage, appeals or the reconstitution of the farm, the farm operator shall be notified regarding the adjusted proportionate share on a form SU–103–A or other similar written notice. For each tentative proportionate share which is established, the person filing the request for such share shall be notified on a form SU–103–B specifying that such tentative share does not constitute a farm proportionate share for the purpose of payment under the Sugar Act of 1948, as amended.

(i) *Redetermination of proportionate share.* The proportionate share determined for any farm which is subdivided into, combined with, or becomes a part

of another farm or farms shall be redetermined as provided in § 850.99.

(j) *Determination provisions prevail.* The bases and procedures set forth in this section are issued in accordance with and subject to the provisions of § 850.99.

STATEMENT OF BASES AND CONSIDERATIONS

This supplement sets forth the bases and procedures established by the Agricultural Stabilization and Conservation Oregon State Committee for determining farm proportionate shares in Oregon in accordance with the determination of proportionate shares for the 1959 crop of sugar beets, as issued by the Secretary of Agriculture.

Oregon is divided into two areas. Advisory committees, including grower and processor representatives, are utilized. In establishing proportionate shares for old producers, the factors of "past production" and "ability to produce" sugar beets are measured by average accredited acreages for the crop years 1955–57 in the Nampa-Nyssa Area and 1956–58 in the Umatilla Area, except that a more favorable formula is applied in cases involving new-producer shares in 1956, 1957 or 1958 in the Nampa-Nyssa Area or in 1957 or 1958 in the Umatilla Area.

The procedure for establishing farm shares for new producers meets the related requirements of § 850.99. Eight-acre shares are determined to be minimum economic units for new farms.

The bases and procedures for making adjustments in initial proportionate shares and for adjusting shares subsequently because of unused acreage and appeals, are designed to provide a fair and equitable proportionate share for each farm of the total acreage of sugar beets required to enable the domestic beet sugar area to meet its quota and provide a normal carryover inventory.

(Sec. 403, 61 Stat. 932; 7 U.S.C. Sup. 1153. Interprets or applies secs. 301, 302, 61 Stat. 929, 930 as amended; 7 U.S.C. Sup. 1131, 1132)

JENS TERJESON,
Chairman, Agricultural Stabilization and Conservation Oregon State Committee.

MARCH 8, 1960.

Approved: May 2, 1960.

LAWRENCE MYERS,
Director, Sugar Division, Commodity Stabilization Service.

[F.R. Doc. 60-4506; Filed, May 17, 1960; 8:51 a.m.]

[Sugar Determination 850.99, as Amended, Supp. 21]

PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

California Proportionate Share Areas and Farm Proportionate Shares for 1959 Crop

Pursuant to the provisions of the Determination of Proportionate Shares for Farms in the Domestic Beet Sugar Area, 1959 Crop (23 F.R. 7799; 24 F.R. 84, 9707), the Agricultural Stabilization and Conservation California State Committee has issued the bases and procedures for dividing the State into proportionate share areas and establishing individual farm proportionate shares from the allocation of 201,119 acres established for California by the determination. Copies of these bases and procedures are available for public inspection at the office of such Committee at 2020 Milvia Street, Berkeley, California, and at the offices of the Agricultural Stabilization and Conservation Committees in the sugar beet producing counties of California. These bases and procedures incorporate the following:

§ 850.120 California.

(a) *Proportionate share areas.* California shall be divided into two proportionate share areas, one of which shall comprise all of California except Imperial County and the other shall be Imperial County. These areas shall be designated the "Northern Area" and the "Imperial Area", respectively. Acreage allotments for these areas shall be computed by applying to the sugar beet acreage record for each area a weighting of 50 percent to the average accredited acreage for the crops of 1955 through 1958, as a measure of "past production", and a weighting of 50 percent to the average accredited acreage for the crops of 1957 and 1958 as a measure of "ability to produce", with pro rata adjustments to a total of 201,119 acres. Acreage allotments computed as aforestated are established as follows: Northern Area—157,759 acres, and Imperial Area—43,360 acres.

(b) *Set-asides of acreage.* Set-asides of acreage shall be made from area allotments as follows: Northern Area—3,155 acres for new producers, 3,155 acres for appeals and 4,733 acres for adjustments in initial shares; Imperial Area—433 acres for new producers, 867 acres for appeals, and 2,730 acres for adjustments in initial shares.

(c) *Requests for proportionate shares.* A request for each farm proportionate share shall be filed at the local ASC County Office on Form SU–100, Request for Sugar Beet Proportionate Share, under the conditions, and on or before the closing date of such filing, as provided in § 850.99. If a preliminary request for a tentative farm proportionate share is filed, a fully-completed Form SU–100 shall be filed by May 26, 1959, for Imperial County and by December 30, 1958 for all other counties. However, requests for proportionate shares may be accepted after such dates and shares may be established if the county committee determines that in any such case the farm operator was prevented from filing a completed Form SU–100 by such dates because of absence, illness or other reason beyond his control.

(d) *Establishment of individual proportionate shares for old-producer farms*—(1) *Farm bases*—(i) *Northern area.* If the 1959 operator of the farm in this area is a tenant having a personal accredited acreage record within such area for any of the crop years 1955 through 1958, the farm base shall be the larger of the result of dividing by four his total personal accredited acreage for the years 1955 through 1958, or dividing by four the landowner's shares of the accredited acreages on the farm for the years 1955 through 1958, except that if a new-producer share was established for the farm he operated in one of the years 1956, 1957 or 1958, the 1959 farm base shall be the largest of the result of dividing by four the personal accredited acreage record of such tenant for the crop years 1956–58, the 1958-crop accredited acreage of the farm operated by him but not to exceed the 1958-crop share established for such farm, or the result of dividing by four the landowner's shares of the accredited acreages on the farm during the years 1955–58. If the 1959 operator is a tenant without a personal accredited acreage record in any of the crop years 1955–58 or is the owner of the farm, the 1959 base shall be the result of dividing by four the landowner's shares of the accredited acreages on the farm for the years 1955–58, except that if a new-producer share was established for such farm while operated by such owner in one of the years 1956 through 1958, the 1959 base shall be the larger of the result of dividing by four the total accredited acreage record of the farm for the years 1956–58, or the 1958-crop accredited acreage of the farm but not to exceed the 1958-crop share established for the farm.

(ii) *Imperial area.* If the 1959 operator of the farm in this area is a tenant having a personal accredited acreage record within such area for any of the crop years 1955 through 1957, the farm base shall be the larger of the result of dividing by three his total personal accredited acreage for the years 1955 through 1957, or dividing by three the landowner's shares of the accredited acreages on the farm for the years 1955 through 1957, except that if a new-producer share was established for the farm he operated in one of the years 1956, 1957, or 1958, the 1959 farm base shall be the largest of the result of dividing by three the personal accredited acreage record of such tenant for the crop years 1956–57, the 1958-crop accredited acreage of the farm operated by him but not to exceed the 1958-crop share established for such farm, or the result of dividing by three the landowner's shares of the accredited acreages on the farm during the years 1955–57. If the 1959 operator is a tenant without a personal accredited acreage record in any of the crop years 1955–57 or is the owner of the farm, the 1959 base shall be the result of dividing by three the landowner's shares of the accredited acreages on the farm for the years 1955–57, except that if a new-producer share was established for such farm while operated by such owner in one of the years 1956 through 1958, the 1959 base shall be the larger of the result of dividing by three the total accredited acreage record of the farm for the years 1956–57, or the 1958-crop accredited acreage of the farm but not to exceed the 1958-crop share established for the farm.

(2) *Initial proportionate shares.* For each proportionate share area, the total of individual farm bases for old-producer farms, as established pursuant to this paragraph, is less than the area allotment minus the set-asides of acreage

established under paragraph (b) of this section. Accordingly, initial proportionate shares shall be established from the farm bases in each proportionate share area as follows: For farms for which the respective requested acreages are equal to or less than their farm bases, the initial shares shall coincide with the requested acreages, and for all other farms, initial shares shall be computed by prorating to such farms in accordance with their respective bases, the area allotment less the prescribed set-asides and the total of the initial shares established so as to coincide with requested acreages. The proration factors for the areas shall be as follows: Northern Area—1.01878 and Imperial Area—1.0244.

(3) *Adjustments in initial shares.* Within the acreage available from the set-aside for adjustments, and from acreage of initial shares in excess of requested acreages in each proportionate share area, adjustments shall be made in initial farm proportionate shares for old producers so as to establish a proportionate share for each farm which is fair and equitable as compared with proportionate shares for all other farms in the area by taking into consideration availability and suitability of land, area of available fields, crop rotation, availability of irrigation water, adequacy of drainage, availability of production and marketing facilities, and the production experience of the operator. In Imperial County, preference shall be given in making adjustments for all farms for which the relatively smallest shares would otherwise be established by increasing such shares to the smaller of 25 percent of the cropland of the farm, or 35 acres. These limits were determined on the basis of the acreage set aside, the size of proportionate shares for small farms and of sugar beet operations of small producers in the area, and the aforestated general considerations.

(e) *Establishment of individual proportionate shares for new-producer farms.* Within the acreage set aside for new producers in each proportionate share area, proportionate shares shall be established in an equitable manner for farms to be operated during the 1959-crop year by new producers (as defined in § 850.99). The State Committee has determined that the minimum acreage which is economically feasible to plant as a new-producer farm share shall be the smaller of 25 acres or 25 percent of the cropland on the farm for the Northern Area, and the smaller of 35 acres or 25 percent of the cropland on the farm for the Imperial Area. In determining whether a farm for which a request is filed for a new-producer share may qualify for such a share, and to assist in establishing new-producer shares which are fair and equitable as to relative size among qualified farms, the State Committee shall take into consideration availability and suitability of land, adequacy of drainage, the production experience of the operator, and the availability of production and marketing facilities. The acreage available for establishing new-producer shares in each area shall be prorated to counties on the basis of equal weight to the total of the old-producer farm bases and the number of requests for new-producer shares within each county. Preference shall be given by establishing shares (not limited to the minimum as established above) for farms whose operators have had significant previous sugar beet production experience, and if there is insufficient acreage to establish shares in minimum economic units for all of them, the selections shall be made by lot. If acreage is available for establishing shares for well-qualified applicants, but not for all of them, selections shall be made by lot.

(f) *Adjustments under appeals.* Within the acreage set aside for making adjustments under appeals and any other acreage remaining unused in each proportionate share area, adjustments shall be made in proportionate shares under appeals to establish fair and equitable farm shares in accordance with the provisions of § 850.99, applicable to appeals.

(g) *Adjustments because of unused acreage.* To the extent of acreage available within the allotment for each proportionate share area from underplanting and failure to plant, and unused acreage from set-asides and other sources adjustments shall be made in farm proportionate shares during the 1959-crop season. However, any acreage released by producers in any county prior to the beginning of planting shall be used to increase small proportionate shares in the county so as to promote the more efficient operation of farms. First consideration shall be given to shares too small for economical operation; then consideration shall be given to shares which are small in comparison with those for similar farms. In no case shall the increases in proportionate shares in the Northern Area be larger than 50 percent of the established share for the farm, except that shares for farms having more than 160 acres of cropland may be increased to 40 acres, and shares for farms having less than 160 acres of cropland may be increased to 20 acres. In the Imperial Area, no increase from released acreage greater than the smaller of 25 percent of the cropland on the farm or 35 acres shall be granted until all producers who have requested additional acreage have received the smaller of that much increase or their requested acreage. Any proportionate share acreage remaining unused in the Northern Area on March 1, 1959, shall, insofar as practicable, be prorated by the ASC State Committee, on the basis of total established shares within counties, to counties in the area with farms capable of utilizing more proportionate share acreage. If it becomes evident that all acreage allotted to an area will not be utilized in the area, the unused acreage may be made available to the other area by the ASC State Committee.

(h) *Notification of farm operators.* The farm operator shall be notified concerning the proportionate share established for his farm on Form SU–103, Notice of Farm Proportionate Share—1959 Sugar Beet Crop, even if the acreage established is "none". In each case of approved adjustment, whether resulting from the release of acreage, the redistribution of unused acreage, appeals or the reconstitution of the farm, the farm operator shall be notified regarding the adjusted proportionate share on a Form SU–103–A or other similar written notice. For each tentative proportionate share which is established, the person filing the request for such share shall be notified on a Form SU–103–B specifying that such tentative share does not constitute a farm proportionate share for the purpose of payment under the Sugar Act of 1948, as amended.

(i) *Redetermination of proportionate share.* The proportionate share determined for any farm which is subdivided into, combined with, or becomes a part of another farm or farms shall be redetermined as provided in § 850.99.

(j) *Determination provisions prevail.* The bases and procedures set forth in this section are issued in accordance with and subject to the provisions of § 850.99.

STATEMENT OF BASES AND CONSIDERATIONS

This supplement sets forth the bases and procedures established by the Agricultural Stabilization and Conservation California State Committee for determining farm proportionate shares in California in accordance with the determination of proportionate shares for the 1959 crop of sugar beets, as issued by the Secretary of Agriculture.

California is divided into the same two areas. Advisory committees, including grower and processor representatives, are utilized. In establishing proportionate shares for old producers, the factors of "past production" and "ability to produce" sugar beets are measured by applying formulas to the accredited acreages for the crop years 1955–58 for the Northern Area and 1955–57 for the Imperial Area, except that a more favorable formula is applied in cases involving new-producer shares in 1956, 1957, or 1958.

The procedure for establishing farm shares for new producers meets the related requirements of § 850.99.

The bases and procedures for making adjustments in initial proportionate shares and for adjusting shares subsequently because of unused acreage and appeals, are designed to provide a fair and equitable proportionate share for each farm of the total acreage of sugar beets required to enable the domestic beet sugar area to meet its quota and provide a normal carryover inventory.

(Sec. 403, 61 Stat. 932; 7 U.S.C. Sup. 1153. Interprets or applies secs. 301, 302, 61 Stat. 929, 930, as amended; 7 U.S.C. Sup. 1131, 1132)

JOSEPH L. PUPPO,
Chairman, Agricultural Stabilization and Conservation California State Committee.

MARCH 18, 1960.

Approved: May 2, 1960.

LAWRENCE MYERS,
Director, Sugar Division, Commodity Stabilization Service.

[F.R. Doc. 60–4507; Filed, May 17, 1960; 8:51 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket No. 393; Amdt. 154]

PART 507—AIRWORTHINESS DIRECTIVES

Alouette II SE 3130 Helicopters

Cracks have been found in the tail rotor blades (34.40.000 and 34.60.000) of Alouette helicopters. Failure of the tail rotor blades causes loss of directional control. Since safety is affected by this type of failure, it is necessary to require repetitive inspection of the blades and replacement if cracking or bonding separation is found. Also a blade life limit is specified.

In the interest of safety the Administrator finds that notice and public procedure hereon are impracticable and that good cause exists for making this amendment effective upon publication in the FEDERAL REGISTER.

In consideration of the foregoing § 507.10(a) (14 CFR Part 507) is hereby amended by adding the following new airworthiness directive:

SUD AVIATION. Applies to all Alouette II SE 3130 equipped with tail rotor blade model numbers 34.40.000 and 34.60.000. Compliance required each five hours of time in service.

(a) Visually inspect the upper and lower blade surfaces to determine that the blade cuff and skin are free from cracks at the attachment bolts.

(b) Check the end of the reinforcement plate for bonding separation by exerting light thumb pressure on the blade immediately outboard of the plate.

(c) If evidence of cracking or bonding separation is found blades must be replaced prior to further flight.

(d) All blade numbers 34.40.000 and 34.60.000 must be retired at 2,500 hours of service time.

(Sud Aloutte Helicopter Service Bulletin No. 34.11.138B covers the same subject in Part D.)

This amendment shall become effective upon date of its publication in the FEDERAL REGISTER.

(Secs. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on May 12, 1960.

E. R. QUESADA,
Administrator.

[F.R. Doc. 60-4440; Filed, May 17, 1960; 8:45 a.m.]

SUBCHAPTER E—AIR NAVIGATION REGULATONS

[Airspace Docket No. 59-WA-441]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

Modification of Federal Airway

On March 5, 1960, a Notice of Proposed Rule Making was published in the FEDERAL REGISTER (25 F.R. 1959) stating that the Federal Aviation Agency proposed to modify the segment of VOR Federal airway No. 161 between Tulsa, Okla., and Butler, Mo.

No adverse comments were received regarding the proposed amendment. The Aircraft Owners and Pilots Association, however, suggested that a review of the location of the Oswego VOR be made to determine if a more appropriate location for this VOR would be to the southwest of its present site. In selecting a site for the Oswego VOR, the Federal Aviation Agency gave full consideration to locating it in the area suggested by the AOPA. After an extensive survey, it was determined that locating the Oswego VOR at its present site would provide the most effective and efficient navigational service.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons stated in the Notice, the following action is taken:

In the text of § 600.6161 (24 F.R. 10519, 25 F.R. 858), "Tulsa, Okla., omnirange station; Butler, Mo., omnirange station;" is deleted and "Tulsa, Okla., VORTAC; Oswego, Kans., VOR; Butler, Mo., VOR;" is substituted therefor.

This amendment shall become effective 0001 e.s.t. June 30, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on May 11, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-4442; Filed, May 17, 1960; 8:45 a.m.]

[Airspace Docket No. 59-LA-28]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Modification of Control Area Extension and Control Zone

On February 19, 1960, a Notice of Proposed Rule Making was published in the FEDERAL REGISTER (25 F.R. 1493) stating that the Federal Aviation Agency proposed to modify the Redmond, Oregon, control area extension and the Redmond-Roberts Field control zone.

No adverse comments were received regarding the proposed amendments.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons stated in the Notice, the following actions are taken:

1. Section 601.1349 (24 F.R. 10565) is amended to read:

§ 601.1349 Control area extension (Redmond, Oreg.).

Within 5 miles either side of the Redmond RR NW and SE courses extending from 17 miles NW to 15 miles SE of the RR; and within 5 miles either side of the Redmond VOR 090° True and 270° True radials extending from 17 miles W to 8 miles E of the VOR.

§ 601.1983 [Amendment]

2. In the text of § 601.1983 (24 F.R. 10570) "Redmond, Oreg.: Redmond-Roberts Field." is deleted.

3. In Part 601 (24 F.R. 10530) § 601.2468 is added to read:

§ 601.2468 Redmond, Oreg., control zone.

Within a 5-mile radius of the geographical center of Redmond-Roberts Field (latitude 44°15'11" N., longitude 121°08'55" W.) and within 2 miles either side of the 090° True radial of the Redmond VOR extending from the 5-mile radius zone to the VOR.

These amendments shall become effective 0001 e.s.t., June 30, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on May 11, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-4443; Filed, May 17, 1960; 8:45 a.m.]

[Airspace Docket No. 59-WA-179]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Modification and Extension of Federal Airways and Associated Control Areas

On September 30, 1959, a Notice of Proposed Rule-Making was published in the FEDERAL REGISTER (24 F.R. 7881) stating that the Federal Aviation Agency was considering an amendment to §§ 600.6002 and 601.6002 of the regulations of the Administrator which would modify the segment of VOR Federal airway No. 2, and its associated control areas, between Albany, N.Y., and Boston, Mass.

As stated in the Notice, Victor 2 presently extends from Seattle, Wash., to Boston. The original proposal as published in the Notice provided for the redesignation of Victor 2 from the Albany VOR via the intersection of the Albany VOR 075° True and the Keene, N.H., VOR 285° True radials, the Keene VOR, the Manchester, N.H., VOR, to the Ipswich, Mass., Intersection (the intersection of the Manchester VOR 117°

True and the Boston VOR 014° True radials), to provide a dual route structure with VOR Federal airway No. 14 east of Albany for air traffic departing and arriving the Boston Terminal area. This action would have the effect of eliminating the airway between the Gardner, Mass., VOR, and the Boston VOR, to avoid the area in which the establishment of a Restricted Area/Military Climb Corridor for the Bedford, Mass., AFB, was proposed. The Air Transport Association objected to the elimination of this segment of airway as such action would set aside for the exclusive use of military operations at the Bedford-Hanscom Airport a considerable segment of the airspace into which the Boston terminal traffic flow is compressed. However, it has now been determined that there is no longer a requirement for a Restricted Area/Military Climb Corridor at the Bedford AFB. Therefore, the segment of Victor 2 between the Gardner VOR and the Boston VOR is being retained, but is being redesignated direct, station to station. Additionally, by amending §§ 600.6072 and 601.6072 of the regulations of the Administrator, the airway proposed in the Notice between the Albany VOR and the Ipswich Intersection is being designated as an extension of VOR Federal airway No. 72. This action will result in the segment of Victor 2 being designated from the Gardner VOR direct to the Boston VOR and Victor 72 and its associated control areas being extended from the Albany VOR via the intersection of the Albany VOR 075° True and the Keene VOR 285° True radials, the Keene VOR, the Manchester VOR, to the Ipswich Intersection. The control areas associated with Victor 2 are so designated that they will automatically conform to the modified airway. Accordingly, no amendment relating to such control areas is necessary. Coincident with this action, the caption to § 600.6002 is being changed to more accurately describe the airway.

No other adverse comments were received regarding the proposed amendments.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) § 600.6002 (24 F.R. 10503); § 600.6072 (24 F.R. 10513, 25 F.R. 855); and § 601.6072 (24 F.R. 10600) are amended as follows:

1. Section 600.6002 *VOR Federal airway No. 2 (Seattle, Wash., to Boston, Mass.)*.

(a) In the caption delete "*(Seattle, Wash., to Boston, Mass.)*." and substitute therefor "*(Seattle, Wash., to Salem, Mich., and Buffalo, N.Y., to Boston, Mass.)*."

(b) In the text, delete "INT of the Gardner VOR 098° radial and the Boston-Bedford Airport ILS localizer front course; Boston-Bedford, Mass., Airport ILS localizer; INT of the Boston-Bedford Airport ILS localizer back course and the Boston VOR 014° radial;".

2. Section 600.6072 *VOR Federal airway No. 72 (Fayetteville, Ark., to Albany, N.Y.)*.

(a) In the caption, delete "*(Fayetteville, Ark., to Albany, N.Y.)*." and substitute therefor "*(Fayetteville, Ark., to Ipswich, Mass.)*."

(b) In the text, delete "to the Albany, N.Y., VOR." and substitute therefor, "Albany, N.Y., VOR; INT of the Albany VOR 075° T and the Keene VOR 285° T radials; Keene, N.H., VOR; Manchester, N.H., VOR; to the INT of the Manchester VOR 117° T and the Boston, Mass., VOR 014° T radials."

3. In the caption of Section 601.6072 *VOR Federal airway No. 72 control areas (Fayetteville, Ark., to Albany, N.Y.)*, delete "*(Fayetteville, Ark., to Albany, N.Y.)*." and subistitute therefor "*(Fayetteville, Ark., to Ipswich, Mass.)*."

These amendments shall become effective 0001 e.s.t. June 30, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on May 11, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-4441; Filed, May 17, 1960; 8:45 a.m.]

[Airspace Docket No. 59-WA-230]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

PART 608—RESTRICTED AREAS

Revocation of Restricted Area and Modification of Federal Airways

The purpose of these amendments to §§ 608.53, 600.604, 600.640, 600.6091 and 600.6141 of the regulations of the Administrator is to revoke Restricted Area/Military Climb Corridor (R-540), associated with the Ethan Allen Air Force Base, Burlington, Vt., and delete all reference to R-540 from the description of VOR Federal airways No. 91 and 141, and Blue Federal airways No. 4 and 40.

A Notice of Proposed Rule-Making was published in the FEDERAL REGISTER on November 11, 1959 (24 F.R. 9216) stating that the Federal Aviation Agency was considering an amendment to the upper altitude limits of R-540. Subsequent to publication of the Notice, the Department of the Air Force determined that there would be no longer a requirement for this restricted area after May 1960.

In view of the above, the Federal Aviation Agency is revoking R-540 and deleting all reference to the restricted area from the description of Victor 91, Victor 141, Blue 4 and Blue 40. As indicated above, these actions will be effective after May 1960.

Since these amendments eliminate a burden on the public, compliance with the notice, and public procedure and effective date requirements of section 4 of the Administrative Procedure Act is unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, these amendments will become effective more than 30 days after publication.

In consideration of the foregoing, the following action is taken:

1. In § 608.53 *Vermont*, the Burlington, Vermont (Ethan Allen AFB) Restricted Area/Military Climb Corridor (R-540) (RF-31W) (23F.R. 9135) is revoked.

2. In the text of § 600.604 *Blue Federal airway No. 4 (Boston, Mass., to United States-Canadian Border)* (24 F.R. 10500), delete "The portions of this airway which lie within the geographic limits of, and between the designated altitudes of, the Burlington, Vt. (Ethan Allen AFB) Restricted Area/Military Climb Corridor (R-540) are excluded during the restricted area's time of designation."

3. In the text of § 600.640 *Blue Federal airway No. 40 (Concord, N.H., to Burlington, Vt.)* (24 F.R. 10501), delete "The portions of this airway which lie within the designated altitudes of, the Burlington, Vt. (Ethan Allen AFB) Restricted Area/Military Climb Corridor (R-540) are excluded during the restricted area's time of designation."

4. In the text of § 600.6091 *VOR Federal airway No. 91 (New York, N.Y., to Montreal, Quebec)* (24 F.R. 10514), delete "The portion of this airway which lies within the geographic limits of, and between the designated altitudes of, the Burlington, Vt., (Ethan Allen AFB) Restricted Area/Military Climb Corridor (R-540) is excluded during its time of designation."

5. In the text of § 600.6141 *VOR Federal airway No. 141 (Nantucket, Mass., to Massena, N.Y.)* (24 F.R. 10518), delete "The portion of this airway which lies within the geographic limits of, and between the designated altitudes of, the Burlington, Vt., (Ethan Allen AFB) Restricted Area/Military Climb Corridor (R-540) is excluded during its time of designation."

These amendments shall become effective 0001 e.s.t. June 30, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on May 12, 1960.

E. R. QUESADA,
Administrator.

[F.R. Doc. 60-4450; Filed, May 17, 1960; 8:46 a.m.]

[Airspace Docket No. 59-KC-37]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

PART 608—RESTRICTED AREAS

Revocation and Modification of Restricted Area and Modification of Control Area Extension

On December 29, 1959, a Notice of Proposed Rule Making was published in the FEDERAL REGISTER (24 F.R. 10921) stating

that the Federal Aviation Agency proposed to revoke the Upper Lake Huron, Mich., Restricted Area (R-91) (Lake Huron Chart) and modify the boundary and time of use, sunset to sunrise, of the Upper Lake Huron, Mich., No. 2 Restricted Area (R-491) (Lake Huron Chart). The time of use was in error and a Supplemental Notice of Proposed Rule Making was published in the FEDERAL REGISTER on February 16, 1960 (25 F.R. 1384), changing the time of use to sunrise to sunset and extending the time for comments to February 29, 1960.

Although not mentioned in the Notice, § 601.1311 of the regulations of the Administrator which describes the Oscoda, Mich., control area extension, excludes Restricted Area (R-91) between its designated altitudes during its time of designation. The revocation of Restricted Area (R-91) thus requires that any reference to that Restricted Area be deleted from the description of the Oscoda control area extension, and such action is being taken herein. Additionally, subsequent to publication of the Supplemental Notice of Proposed Rule Making, the Department of Air Force advised that the aerial gunnery activities conducted in Restricted Area (R-491) are of such nature that the geographical boundaries of this restricted area can be reduced, and such action is also being taken herein.

No adverse comments were received regarding the proposed amendment.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, the following action is taken:

1. In § 608.30 *Michigan,* the Upper Lake Huron, Mich., Restricted Area (R-91) (Lake Huron Chart) (23 F.R. 8583) is revoked.

2. In § 608.30 *Michigan,* Upper Lake Huron, Mich., No. 2 Restricted Area (R-491) (Lake Huron Chart) (23 F.R. 8583) is amended to read:

Upper Lake Huron, Mich. (R-491) (Lake Huron Chart).

Description by geographical coordinates. From latitude 45°17'00" N., longitude 83°10'00" W., east to latitude 45°17'00" N., longitude 82°30'30" W., south to latitude 44°07'00" N., longitude 82°14'45" W., west to latitude 44°07'00" N., longitude 83°01'00" W., north-northeast to latitude 44°30'00" N., longitude 82°51'00" W., north to latitude 44°45'00" N., longitude 82°50'00" W., northwest to latitude 44°55'00" N., longitude 83°10'00" W., north to point of beginning.

Designated altitudes. Surface to 50,000 feet MSL.

Time of designation. Sunrise to sunset.

Controlling agency. Commanding Officer, 412th Fighter Group, Wurtsmith AFB, Oscoda, Mich.

3. In the text of § 601.1311 *Control area extension (Oscoda, Mich.)* (24 F.R. 10563), delete "Lake Huron Restricted Areas (R-91) and (R-491)" and substitute therefor "Lake Huron Restricted Area (R-491)".

These amendments shall become effective 0001 e.s.t. June 30, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on May 12, 1960.

E. R. QUESADA,
Administrator.

[F.R. Doc. 60-4449; Filed, May 17, 1960; 8:45 a.m.]

[Airspace Docket No. 59-WA-380]

PART 608—RESTRICTED AREAS

Modification

On November 11, 1959, a Notice of Proposed Rule Making was published in the FEDERAL REGISTER (24 F.R. 9218) stating that the Federal Aviation Agency proposed the revocation of the Salinas, Puerto Rico, Restricted Area (R-371) (WAC 649 Chart) and the Punta Figuras, Puerto Rico, Restricted Area (R-409) (WAC 649 Chart).

As stated in the Notice, the Salinas, Puerto Rico, Restricted Area (R-371), Controlling agency—Commanding General, USAFANT and MDPR, San Juan, Puerto Rico, is an area of 24 square miles in the south part of Puerto Rico. It is designated for artillery and mortar firing for use at altitudes from the surface to 8,000 feet MSL, and during all hours of each day. The Punta Figuras, Puerto Rico, Restricted Area (R-409), Controlling agency—Commanding General, USAFANT and MDPR, San Juan, Puerto Rico, is an area of 52 square miles in the south part of Puerto Rico. It was designated for antiaircraft artillery firing for use at altitudes from the surface to 30,000 feet MSL, during daylight hours each day when unlimited visibility prevails, and only after issuance of a NOTAM at least 48 hours in advance of firing.

In response to the Notice, the Department of the Army submitted a report on the activities conducted in Restricted Areas (R-371) and (R-409). The activities conducted in Restricted Area (R-371) consist of small arms, mortar and artillery firing during the period June 15 to August 15 and on weekends for the balance of the year. The Army states that this area provides the only range available to the Antilles Command, United States Army Caribbean for such training purposes. The Army further states that Restricted Area (R-409) is the only over-water range available to that command for firing of antiaircraft weapons, and that this activity is conducted during the summer months.

In view of the above, it has been determined that a requirement exists for the continued designation of (R-371) and (R-409) with the following modifications applied to (R-371); change designated altitudes from "Surface to 8000 feet MSL" to "Surface to 5000 feet MSL", and change designated time of use from "Continuous" to "Sunrise to Sunset, June 15 through August 15", and "Sunrise to Sunset, Saturday and Sunday, August 16 through June 14." Since (R-409) is designated as restricted area only for periods of actual use by issuance of NOTAMS, maximum efficiency of the use of the airspace is realized, and it will be retained as designated.

No other comments were received regarding the proposed amendments.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, the following action is taken:

In § 608.63 *Puerto Rico,* the Salinas, Puerto Rico, Restricted Area (R-371) (WAC 649 Chart) (23 F.R. 8592; 24 F.R. 3876) is amended by deleting "Surface to 8000 feet MSL" and "Continuous" and substituting therefor, respectively, "Surface to 5000 feet MSL" and "Sunrise to Sunset, June 15 through August 15, and Sunrise to Sunset, Saturday and Sunday, August 16 through June 14."

This amendment shall become effective 0001 e.s.t. June 30, 1960.

(Secs. 307(a) and 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on May 12, 1960.

E. R. QUESADA,
Administrator.

[F.R. Doc. 60-4444; Filed, May 17, 1960; 8:45 a.m.]

[Airspace Docket No. 59-NY-6]

PART 608—RESTRICTED AREAS

Modification

On January 30, 1960, a Notice of Proposed Rule Making was published in the FEDERAL REGISTER (25 F.R. 816) stating that the Federal Aviation Agency proposed to reduce the size of the Chincoteague Inlet, Va., Restricted Area (R-45) (Washington and Norfolk Charts) and designate the National Aeronautics and Space Administration as the controlling agency.

The Notice described the eastern boundary of R-45 as the western boundary of Warning Area (W-108). However, action is being taken herein to describe the eastern boundary of R-45 as a line three nautical miles from the shoreline between geographical coordinates. This will be more accurate and will encompass no additional airspace.

No adverse comments were received regarding the proposed amendment.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, and for the reasons stated in the Notice, the following action is taken:

In § 608.54 *Virginia,* Chincoteague Inlet, Va., Restricted Area (R-45) (Washington and Norfolk Charts) (23 F.R. 8589) is amended to read:

Description by geographical coordinates. Beginning at latitude 37°56'45" N., longitude 75°27'30" W., thence southeast to latitude 37°51'30" N., longitude 75°17'15" W., thence southerly three nautical miles from the shoreline to latitude 37°38'45" N., longitude 75°31'20" W., thence north to latitude 37°50'24" N., longitude 75°31'20" W., thence northeast to point of beginning.

Designated altitudes. Unlimited.

Time of designation. Continuous.

Controlling agency. National Aeronautics and Space Administration, Wallops Island Station, Chincoteague, Va.

This amendment shall become effective 0001 e.s.t., June 30, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on May 12, 1960.

E. R. QUESADA,
Administrator.

[F.R. Doc. 60-4445; Filed, May 17, 1960; 8:45 a.m.]

[Airspace Docket No. 59-KC-30]

PART 608—RESTRICTED AREAS

Modification

On January 23, 1960, a Notice of Proposed Rule Making was published in the FEDERAL REGISTER (25 F.R. 612) stating that the Federal Aviation Agency was considering an amendment to § 608.30 of the regulations of the Administrator which would modify the Hammond Bay, Mich., Restricted Area (R-424) (Lake Huron Chart).

No adverse comments were received regarding the proposed amendment.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, and for the reasons stated in the Notice, the following action is taken:

In § 608.30 *Michigan,* the Hammond Bay, Mich., Restricted Area (R-424) (Lake Huron Chart) (23 F.R. 8582, 9773; 24 F.R. 3230) is amended to read:

Description by geographical coordinates. Beginning at latitude 45°56'30" N., longitude 83°53'30" W., thence to latitude 45°34'00" N., longitude 83°03'00 W., thence to latitude 45°23'00" N., longitude 83°18'00" W., thence to latitude 45°46'00" N., longitude 84°08'00" W., thence to point of beginning.

Designated altitudes. Surface to 45,000 feet MSL.

Time of designation. Sunrise to sunset.

Controlling agency. Commanding Officer, 507th Fighter Group, Kincheloe AFB, Mich.

This amendment shall become effective 0001 e.s.t. June 30, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on May 12, 1960.

E. R. QUESADA,
Administrator.

[F.R. Doc. 60-4446; Filed, May 17, 1960; 8:45 a.m.]

[Airspace Docket No. 59-KC-90]

PART 608—RESTRICTED AREAS

Modification of Restricted Area/Military Climb Corridor

On February 5, 1960, a Notice of Proposed Rule Making was published in the FEDERAL REGISTER (25 F.R. 1054) stating that the Federal Aviation Agency proposed to modify the Duluth, Minn. (Duluth Municipal Airport), Restricted Area/Military Climb Corridor (R-548) (Duluth Chart).

No adverse comments were received regarding the proposed amendment.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, and for the reasons stated in the Notice, the following action is taken:

In § 608.31 *Minnesota* (24 F.R. 3230) Duluth Municipal Airport, Minnesota, Restricted Area/Military Climb Corridor (R-548) (Duluth Chart) is amended to read:

Description. The airspace based on the 004° True radial of the Duluth TVOR, extending from a point 5 statute miles north of the airport to a point 32 statute miles north of the airport, having a width of 2.5 statute miles east and 1.5 statute miles west of the 004° True radial at the beginning and a width of 2.3 statute miles on each side of the 004° True radial at the outer extremity.

Designated altitudes. 3,400 feet MSL to 16,400 feet MSL from 5 statute miles north of the airport to 6 statute miles north of the airport. 3,400 feet MSL to 25,400 feet MSL from 6 to 7 statute miles north of the airport. 3,400 feet MSL to 27,000 feet MSL from 7 to 10 statute miles north of the airport. 7,400 feet MSL to 27,000 feet MSL from 10 to 15 statute miles north of the airport. 11,400 feet MSL to 27,000 feet MSL from 15 to 20 statute miles north of the airport. 16,400 feet MSL to 27,000 feet MSL from 20 to 25 statute miles north of the airport. 20,400 feet MSL to 27,000 feet MSL from 25 to 32 statute miles north of the airport.

Time of designation. Continuous.

Controlling agency. Federal Aviation Agency Airport Traffic Control Tower, Duluth Municipal Airport.

This amendment shall become effective 0001 e.s.t. June 30, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on May 12, 1960.

E. R. QUESADA,
Administrator.

[F.R. Doc. 60-4447; Filed, May 17, 1960; 8:45 a.m.]

[Airspace Docket No. 59-LA-1]

PART 608—RESTRICTED AREAS

Designation of Restricted Area/Military Climb Corridor

On December 10, 1959, a Notice of Proposed Rule Making was published in the FEDERAL REGISTER (24 F.R. 9998) stating that the Federal Aviation Agency was proposing to designate a Restricted Area/Military Climb Corridor at Kingsley Field, Klamath Falls, Oreg.

No comments were received regarding the proposed amendment.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, and for the reasons stated in the Notice, the following action is taken:

In § 608.45 *Oregon* (23 F.R. 8586) add:

Klamath Falls, Oreg. (Kingsley Field), Restricted Area/Military Climb Corridor (R-587) (Klamath Falls Chart).

Description. That area centered on the 325° True radial of the Klamath Falls VOR-TAC extending from 10 statute miles NW of the airport to 32.5 statute miles NW of the airport, having a width of 2.5 statute miles at the beginning and a width of 4.5 statute miles at the outer extremity.

Designated altitudes. 6,100 feet MSL to 19,100 feet MSL from 10 statute miles NW of the airport to 11 statute miles NW of the airport. 6,100 feet MSL to 27,000 feet MSL from 11 to 15 statute miles NW of the airport. 10,100 feet MSL to 27,000 feet MSL from 15 to 20 statute miles NW of the airport. 14,100 feet MSL to 27,000 feet MSL from 20 to 25 statute miles NW of the airport. 19,100 feet MSL to 27,000 feet MSL from 25 to 30 statute miles NW of the airport. 23,100 feet MSL to 27,000 feet MSL from 30 to 32.5 statute miles NW of the airport.

Time of designation. Continuous.

Controlling agency. Klamath Falls Approach Control.

This amendment shall become effective 0001 e.s.t. June 30, 1960.

(Secs. 307(a) and 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on May 12, 1960.

E. R. QUESADA,
Administrator.

[F.R. Doc. 60-4448; Filed, May 17, 1960; 8:45 a.m.]

[Airspace Docket No. 59-WA-210]

PART 608—RESTRICTED AREAS

Modification

On March 23, 1960, an amendment was published in the FEDERAL REGISTER (25 F.R. 2418) to § 608.30 of the regulations of the Administrator modifying the upper limits of Restricted Area/Military Climb Corridor (R-562), associated with Kincheloe Air Force Base, Sault Ste. Marie, Mich.

In the text of the amendment under "Designated altitudes" the second and third steps of the climb corridor were incorrectly described as extending from 8 to 10 statute miles and 10 to 12 statute miles from the Kincheloe AFB TVOR, respectively. Action is taken herein to correctly describe the second and third steps of the climb corridor as extending from 8 to 9 statute miles and 9 to 12 statute miles from the Kincheloe AFB TVOR, respectively.

Since this amendment is minor in nature, notice and public procedures hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, the following action is taken:

In § 608.30, the Sault Ste. Marie, Mich., Kincheloe AFB Restricted Area/Military Climb Corridor (R-562) (Lake Superior and Green Bay Charts) (24 F.R. 3230, 25 F.R. 2418) is amended by deleting "from a point 8 statute miles to point 10 statute miles from the TVOR." and "from a point 10 statute miles to a point 12 statute miles from the TVOR." and

substituting therefor "from a point 8 statute miles to a point 9 statute miles from the TVOR." and "from a point 9 statute miles to a point 12 statute miles from the TVOR.", respectively.

This amendment shall become effective 0001 e.s.t. June 30, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on May 12, 1960.

E. R. QUESADA,
Administrator.

[F.R. Doc. 60-4451; Filed, May 17, 1960; 8:46 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 6478 o.]

PART 13—PROHIBITED TRADE PRACTICES

A. G. Spalding & Bros., Inc.

Subpart—Acquiring stock or assets of competitor: § 13.5 *Acquiring stock or assets of competitor.*

(Sec. 6, 38 Stat. 722; 15 U.S.C. 46. Interpret or apply Sec. 7, 38 Stat. 731; 15 U.S.C. 18) [Cease and desist order, A. G. Spalding & Bros., Inc., Chicopee, Mass., Docket 6478, March 30, 1960]

The complaint in this case charged the nation's second largest seller of athletic goods with violating Sec. 7 of the Clayton Act by acquiring a principal competitor—the fourth largest seller—which it purchased in 1955 for about $5.8 million. Following trial of the issues, the hearing examiner dismissed the complaint for failure of proof. Granting an appeal therefrom by complaint counsel, the Commission reversed the dismissal, modified the initial decision in accordance with its opinion, and on March 30, 1960, issued its order of divestiture.

Said order is as follows:

It is ordered, That respondent, A. G. Spalding & Bros., Inc., shall divest itself absolutely, in good faith, of all rights, title and interest in all stock, assets, patents, trade-marks, trade names, contracts, business and good will, and all other properties, rights and privileges acquired by A. G. Spalding & Bros., Inc., as a result of the acquisition by A. G. Spalding & Bros., Inc., of the stock or share capital of Rawlings Manufacturing Company, in such manner as to restore Rawlings Manufacturing Company to substantially the same relative, competitive standing it formerly had in the athletic goods industry at or around the time of the acquisition.

It is further ordered, That in such divestment no property above mentioned to be divested shall be sold or transferred, directly or indirectly, to anyone who at the time of the divestiture is a stockholder, officer, director, employee, or agent of, or otherwise directly or indirectly connected with or under the control or influence of, respondent or any of respondent's subsidiaries or affiliated companies.

By Final order report of compliance was required as follows:

It is further ordered, That respondent, A. G. Spalding & Bros., Inc., shall, within sixty (60) days from the date of service upon it of this order, submit in writing, for the consideration and approval of the Federal Trade Commission, its plan for compliance with this order, such plan to include the date within which compliance can be effected, the time for compliance to be hereafter fixed by order of the Commission, jurisdiction being retained for these purposes.

Issued: March 30, 1960.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 60-4460; Filed, May 17, 1960; 8:46 a.m.]

[Docket 7659 c.o.]

PART 13—PROHIBITED TRADE PRACTICES

Nichols & Co., Inc., et al.

Subpart—Misbranding or mislabeling: § 13.1185 *Composition;* § 13.1185-90 *Wool Products Labeling Act.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition:* § 13.1845-80 *Wool Products Labeling Act.*

(Sec. 6, 38 Stat. 722; U.S.C. 46. Interpret or apply Sec. 5, 38 Stat. 719, as amended, Secs. 2-5, 54 Stat. 1128-1130; 15 U.S.C. 45, 68-68 (c)) [Cease and desist order, Nichols & Company, Inc., et al., Boston, Mass., Docket 7659, March 25, 1960]

In the Matter of Nichols & Company, Inc., a Corporation, and Arthur O. Wellman, Arthur O. Wellman, Jr., and John N. Nichols, Jr., Individually and as Officers of Said Corporation; Sumner E. Burdette, Individually, and Harry Carr, Trading and Doing Business as Harry Carr and as West First Processing Company

The complaint in this case charged Boston manufacturers and the individual who performed their garnetting with violating the Wool Products Labeling Act by labeling as "80% Camel Hair, 20% Wool", wool stocks which contained in part reprocessed woolen fibers and by failing to comply in other respects with labeling requirements.

Accepting a consent agreement from respondent manufacturers, the hearing examiner made his initial decision and order to cease and desist which became on March 25 the decision of the Commission. The complaint remains pending as to said garnetting respondent.

The order to cease and desist is as follows:

It is ordered, That respondents Nichols & Company, Inc., a corporation, and its officers, and Arthur O. Wellman, Arthur O. Wellman, Jr., and John H. Nichols, Jr., individually and as officers of said corporation, Sumner E. Burdette, individually and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction into commerce, or the offering for sale, sale, transportation, or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939, of woolen stocks or other wool products, do forthwith cease and desist from misbranding such products by:

1. Falsely or deceptively stamping, tagging, labeling or otherwise identifying such products as to the character or amount of the constituent fibers included therein;

2. Failing to affix labels to such products showing each element of information required to be disclosed by section 4(a)(2) of the Wool Products Labeling Act of 1939.

It is further ordered, That respondents Nichols & Company, Inc., a corporation, and its officers, and Arthur O. Wellman, Arthur O. Wellman, Jr., and John H. Nichols, Jr., individually and as officers of said corporation, and Sumner E. Burdette, individually, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the sale or distribution of woolen, or part woolen stocks, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from, directly or indirectly, misrepresenting the generic names of the fibers of which their products are composed, as such names are defined in the Wool Products Labeling Act and the rules and regulations promulgated thereunder, or the percentages or amounts thereof, in sales invoices, shipping memoranda, or in any other manner.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That respondents Nichols & Company, Inc., a corporation, and Arthur O. Wellman, Arthur O. Wellman, Jr., and John H. Nichols, Jr., erroneously named in the complaint as John N. Nichols, Jr., individually and as officers of said corporation, Sumner E. Burdette, individually, shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: March 25, 1960.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 60-4461; Filed, May 17, 1960; 8:46 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 55131]

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE OF DUTY, ETC.

Denaturing of Certain Vegetable Oils

Section 10.56(c), Customs Regulations prescribes certain formulas for denaturing certain vegetable oils so that they may qualify for free entry under paragraph 1732, Tariff Act of 1930. In order to provide that proprietary mixtures of essential oils and synthetic perfume material approved by the Commissioner of Customs may be used as denaturants, § 10.56(c) is hereby amended by adding at the end thereof:

(21) Proprietary mixtures of essential oils and synthetic perfume material approved by the Commissioner of Customs.

(Sec. 201 (par. 1732), 46 Stat. 680; 19 U.S.C. 1201 (par. 1732))

[SEAL] RALPH KELLY,
Commissioner of Customs.

Approved: May 10, 1960.

A. GILMORE FLUES,
Acting Secretary of the Treasury.

[F.R. Doc. 60-4494; Filed, May 17, 1960; 8:50 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER J—AIR FORCE PROCUREMENT INSTRUCTIONS

Miscellaneous Amendments to Subchapter

The following miscellaneous amendments are issued to this subchapter:

PART 1003—PROCUREMENT BY NEGOTIATION

Subpart A—Use of Negotiation

1. Section 1003.105 is revised as follows:

§ 1003.105 Aids to labor surplus areas in negotiated procurements.

See Subpart H, Part 1 of this title and Subpart H, Part 1001 of this chapter.

2. Sections 1003.107 and 1003.107–1 are revised as follows:

§ 1003.107 Late proposals and late unsolicited revisions to proposals.

See § 3.804–2 of this title.

§ 1003.107–1 Clause.

See § 3.804–2 of this title.

§ 1003.107–2 [Deletion]

3. Section 1003.107–2 is deleted.

Subpart C—Determinations and Findings

1. In § 1003.303(c), subparagraph (6) is revised and a subparagraph (7) is added, as follows:

§ 1003.303 Determinations and findings by the head of a procuring activity signing as "a Chief Officer responsible for procurement."

* * * * *

(c) * * *

(6) Commander and Deputy Commander, Electronic Systems Center, with power of redelegation.

(7) Commander, Military Air Transport Service, with respect to cost type and CPFF type contracts for services involving CRAF Senior Lodger and Working Group contracts only. Redelegation may not be made below the level of the Chief, Procurement Division, Hq MATS.

2. In § 1003.306, subparagraph (2) of paragraph (d) is revised as follows:

§ 1003.306 Procedure with respect to determinations and findings.

* * * * *

(d) * * *

(2) Determinations and findings authorizing negotiation which require signature by the Assistant Secretary of the Air Force will be prepared on plain bond paper, undated, and without signature block. An original and nine carbon copies will be submitted with the letter of transmittal.

Subpart D—Types of Contracts

1. Section 1003.402 is revised to read as follows:

§ 1003.402 Selection of contract type.

(a) and (b) See § 3.402 (a) and (b) of this title.

§ 1003.402–1 [Redesignation]

2. Section 1003.402–1 is redesignated § 1003.402–50 and paragraph (b) is revised, as follows:

§ 1003.402–50 Obligation of funds.

* * * * *

(b) *Fixed-price contract with an escalation, price redetermination or an incentive provision.* Obligations will be for amount of fixed price stated in contract, or target price in case of contract with an incentive clause. For any type of contract having both a target and a ceiling price, obligation will be in the amount of the target price.

3. Sections 1003.403, 1003.403–1 and 1003.403–2 are revised to read as follows:

§ 1003.403 Fixed-price type contracts.

See § 3.403 of this title.

§ 1003.403–1 Firm fixed-price contract.

(a) *Description.* No adjustment of price is possible by terms of this type of contract. Realized profit depends upon ability to produce and to control cost. Thus, contractor has strongest incentive to minimize cost because he retains 100 percent of any savings. The Government, however, may benefit through any cost reductions in follow-on procurements for like items. Administrative burden and workload are at a minimum in using this type of contract.

(b) and (c) See § 3.403–1 (b) to (c) of this title.

§ 1003.403–2 Fixed-price contract with escalation.

(a) *Description.* See § 3.403–2(a) of this title.

(b) *Applicability.* It is AF policy to avoid price escalation clauses and to use one only when a contractor insists on unreasonable contingencies in his price. These clauses reduce incentive to control costs and expose the Government to possible price increase without any corresponding increase in total contract cost.

(c) *Limitation.* Escalation clauses, with statements of the conditions under which they may be used, are in § 7.106 of this title. These clauses may be used by AF procuring activities subject to the following additional limitations:

(1) Price escalation provisions will not be used: If reasonable firm fixed prices can be negotiated; if an authorized type of price redetermination contract is acceptable to contractor; when item is other than standard or semi-standard normally sold at "established" or "published" price commercially or other than an item contractor customarily offers for sale commercially, modified to contract specification; or if delivery will occur within 90 days from effective date of the contract.

(2) "Labor" and "material" escalation contracts are not authorized for use in AF procurement.

4. In § 1003.403–3, paragraphs (b) and (c) are revised as follows:

§ 1003.403–3 Fixed-price contract providing for the redetermination of price.

* * * * *

(b) *Applicability.* Major problem underlying use of price redetermination is to establish and maintain sufficient incentive through proper target or prospective pricing to induce contractor to control costs. This problem, however, is a difficult one and requires exercise of sound judgment by both parties in any given circumstances.

(c) * * * (1) Price redetermination will never be used as a substitute for an intelligent initial analysis of price.

* * * * *

(4) Fixed-price contracts with provisions for price redetermination will not be used by foreign procurement activities except as noted below, and may be used by base procurement activities only if prior approval is obtained from MCPC, Hq AMC. Written requests should disclose that conditions of use specified for requested clause have been complied with and furnish reasons for requesting use. Commander and deputy commanders, air materiel forces, have authority to approve use of Forms A and C price redetermination clauses with power of redelegation to not below the level of the staff officer responsible for procurement within the headquarters of the first echelon of command immediately subordinate to the AMF. Authority for use of Forms D and E may be obtained only on a case-by-case basis.

(5) Retroactive price redetermination (Forms C, D, and E) will not be used if any other form, short of a cost-reimbursement type, can be applied reasonably. In AMC centers, use of Form C

requires prior approval of the commander or his designated representative; in the AMC field procurement activities use requires prior approval of the director of procurement and production or his designated representative. Forms D and E require prior approval as outlined in paragraphs (h)(2) and (i)(2) of this section.

5. Section 1003.404–3(d) is revised to read as follows:

§ 1003.404–3 Cost-plus-a-fixed-fee contract (CPFF).

* * * * *

(d) *Contractors' investment in work-in-process.* (1) See § 3.404–3(d)(1) of this title.

(2)(i) Unless exception is granted by § 3.404–3(d)(2) of this title, the clause contained in § 7.203–4 (a) or (b) of this title, appropriately modified will be incorporated in (*a*) all new procurements placed on a cost reimbursement basis effected by new contracts, supplemental agreements or otherwise, whether or not involving a basic agreement and (*b*) definitive contracts superseding letter contracts. Section 3.404–3(d)(2)(v) is interpreted according to the following principles. A contract for research and development does not require the above-cited clause unless it calls for a significant dollar amount of quantity production (in addition to research and development). Articles being fabricated for inventory or stock (with or without testing) including articles classified as "Initial Operational Capability" constitute quantity production; articles being fabricated solely for testing and experimentation as required by the contract are not "quantity production" if the testing and experimentation contemplates loss or complete destruction of the articles during test. The expression "significant dollar amount" in this subparagraph means a proportion exceeding 10 percent of the total cost of the procurement, exclusive of fee. When a research and development contract calls for a significant dollar amount of quantity production the above-cited clause will be made applicable only to that proportion of the contract cost which is estimated to represent the quantity production. For this purpose there may be inserted in the Contract Schedule a provision reading substantially as follows:

> Par. _____ of Clause _____ hereof (here cite the contract clause wherein Par. (c)(1) of either ASPR 7–203.4 (a) or (b) appears) shall apply to _____% of each invoice or voucher and statement of cost submitted by the contractor pursuant to said paragraph.

The figure to be inserted in the "____%" shall reflect the proportion of the estimated cost which represents quantity production, so that the proportion of estimated cost which represents research and development is not subject to the withholding required by the above-cited clause. Thus, if the total estimated cost is $1,000,000, which consists of $700,000 research and development and $300,000 quantity production, the figure to be inserted in the blank would be 30 percent. If and as any such contract is amended by calling for more research or development, or for more quantity production, the applicable percentage will be correspondingly revised, without retroactive effect.

(ii) Except as stated in subdivision (i) of this subparagraph, the 20 percent withholding applies to all allowable costs incurred before completion of delivery of the end items governing liquidation of the gross withheld payments pool. After complete liquidation of the gross withheld payments pool, full reimbursement will be made according to the terms of the contract, exclusive of this clause. In administration of prime contracts incorporating this ASPR clause, every effort should be made to insure that prime contractors do not place an undue hardship on their subcontractors (and particularly small business) or restrict unduly subcontractors' abilities to continue production. The ASPR clause will not be added to existing contracts except upon direction of the Office of the Secretary of the Air Force. Requests for exception, contemplated in § 3.404–3(d)(2)(xi) of this title, will be screened by the Financial Branch (MCPFF), Hq AMC. The request, if considered favorably by Hq AMC, must be forwarded through channels to the Assistant Secretary of the Air Force (Materiel) for decision.

(3) See § 3.404–3(d)(3) of this title.

6. In § 1003.405–3(c), subparagraph (1)(ii) (*a*) and (*c*) is revised and a new subparagraph (1)(iii) is added, as follows:

§ 1003.405–3 Letter contract (LC).

* * * * *

(c) * * *

(1) * * *

(ii) Where the total estimated costs are not anticipated to exceed $1,000,000:

(*a*) Commanders, air materiel areas (ConUS) and Dayton AF Depot with power of redelegation to directors of procurement and production only.

* * * * *

(*c*) Commander and Deputy Commander, Electronic Systems Center, with power of redelegation.

(iii) Where the total estimated costs are not anticipated to exceed $350,000 to Commander, Memphis AF Depot, with power of redelegation to the Director of Procurement and Production only.

Subpart E—Advance Payments

The cross reference is revised to read as follows:

> CROSS REFERENCE: For a complete discussion on the policy and procedures covering advance payments see Subchapter G, Part 82 of this title which will be implemented at a later date by § 1058.709 of this chapter. For instructions relating to administration of advance payments see Subpart G, Part 82 of this title, and Subpart AA, Part 1054 and Subpart D, Part 1058 of this chapter (to be superseded by Part 1030 of this chapter).

Subpart F—Small Purchases

1. In § 1003.604–2(a), subparagraph (1), subdivisions (i) to (xxii) are revised and a new subparagraph (4) is added, as follows:

§ 1003.604–2 Documentation.

(a) * * *

(1) * * *

(i) Date.

(ii) Receipt number: The receipt number will consist of the last two numbers of the fiscal year in which prepared, followed by a dash and then numbered serially for the fiscal year, beginning with the number 1. If more than one cash purchasing officer has been appointed at the installation, each officer will be assigned a letter (A, B, etc.) to be suffixed to the fiscal year symbol. (For example: 60A–1, 60A–2, etc.)

(iii) Station.

(iv) Deliver to (organization or unit). Enter delivery data.

(v) Reference number: Cross-reference to the voucher number on the Purchase Request or other authorized requisition form.

(vi) Name of dealer.

(vii) Location: Enter location of organization or unit to which delivery is to be made.

(viii) Account symbol: Enter stock record account symbol.

(ix) Address: Enter dealer's address.

(x) Work order, Property Class, or USAF Cost Code.

(xi) Organization Code or MPA Account Number. (Applicable only to installations.)

(xii) Description of items.

(xiii) Quantity.

(xiv) Unit.

(xv) Unit price.

(xvi) Amount: Enter dollar amount of each item.

(xvii) Applicable authority for purchase: Enter the authority for making the purchase cited on the Purchase Request or other authorized requisition form.

(xviii) Approved by: Enter the name of the person or office authorizing the purchase as it appears on the Purchase Request or other authorized requisition form.

(xix) Total: Enter the total dollar amount of Cash Purchase Receipt. Where purchase is made in foreign currency, the total will be inserted by the cash purchasing officer in United States dollar amounts, showing the rate of exchange.

(xx) Signature of Cash Purchasing Officer certifying that the purchase has been made according to § 1003.604–1.

(xxi) Name of Seller or Agent of Seller.

(xxii) Signature of Seller or Agent of Seller, on original AF Form 385 only, certifying that cash payment has been received: The total amount of the payment in words and figures will be inserted prior to payment. When purchase is made in foreign currency the words and figures will be inserted by the seller or his agent in terms of the foreign currency, and converted by the cash purchasing officer into United States dollar amounts as set forth in subdivision (xix) of this subparagraph. Where it is impossible to secure the seller's signature and the amount of the purchase does not exceed $3, the cash purchasing officer will note the fact on the Cash Purchase Receipt, delete the certification of receipt

of payment made, and sign his own name in the place set forth for signature by the seller. See § 1003.604–4(a), authorizing the carrier to sign the receipt for the total cash received for a c.o.d. shipment.

* * * * *

(4) All changes, alterations, and corrections made on AF Form 385 will be initialed by the cash purchasing officer.

§ 1003.604–4 [Amendment]

2. In § 1003.604–4:

a. The following sentence is added after the words "ship c.o.d." in the 4th sentence of paragraph (a): "When ordering supplies c.o.d. from out of town sources, prices will be solicited on the basis of net prices, f.o.b. source, with all charges, including transportation and c.o.d. charges, payable at destination."

b. Paragraph (b) is revised as follows:

(b) *Orders placed on a c.o.d. basis but received prepaid.* When the cash purchasing officer has placed an order on a c.o.d. basis to be shipped by parcel post, freight, express or other public carrier, and the shipment, through error, is not shipped c.o.d., it may not be paid under the cash purchasing procedure. Under such circumstances, a confirming purchase order (for instance a DD Form 1155) may be issued instructing vendor to submit a certified invoice to the accounting and finance officer, and payment may then be made by check.

3. Section 1003.606–2 is revised to read as follows:

§ 1003.606–2 Establishment of blanket purchase agreement.

Notwithstanding the monetary limitation imposed by § 16.303–2(b) of this title, DD Form 1155, "Order for Supplies or Services," will be used to establish the "Blanket Purchase Agreements." The agreement will be numbered according to § 1053.201 of this chapter. The schedule in each blanket purchase agreement will contain a statement to the effect that issuing individual requests against the BPA will be made under the authority of 10 U.S.C. 2304(a)(3), except blanket purchase agreements made by foreign base procurement activities will refer to 10 U.S.C. 2304(a)(6).

§ 1003.607 [Amendment]

4. In § 1003.607, "DD Form 351" in the last line, is changed to: "DD Form 1261."

Subpart G—Negotiated Overhead Rates

1. Sections 1003.703, 1003.704, 1003.704–1, 1003.704–2, and 1003.704–3, are revised to read as follows:

§ 1003.703 Applicability.

This subpart applies to all AF procurement activities. Approval of Pricing and Financial Division (MCPF), Hq AMC, is required prior to incorporating the clauses in §§ 3.704–1 and 3.704–2 of this title in any basic agreement or contract with a contractor who is not presently on a negotiated overhead rate arrangement. It is not practical for a contractor to have a mixture of cost-reimbursement type contracts, some requiring negotiated final overhead rates, as provided in this subpart and others which omit the clauses in §§ 3.704–1 and 3.704–2 of this title and therefore requiring settlement of final overhead by audit determination.

§ 1003.704 Contract clauses.

§ 1003.704–1 Contracts with commercial concerns.

It is AF policy, not to incorporate provisional rates in contracts with commercial organizations. The contractor will be reimbursed on basis of billing overhead rates negotiated by the administrative contracting office as provided in the clause in § 3.704–1 of this title.

§ 1003.704–2 Contracts with nonprofit and educational institutions.

It is AF policy to incorporate provisional rates in contracts with colleges, universities and research institutes. Provisional overhead rates for succeeding periods will be negotiated by Hq ARDC as part of final overhead rate negotiations.

§ 1003.704–3 Instructions for completing contract clauses.

See § 3.704–3 of this title.

2. Sections 1003.705, 1003.706 and 1003.707 are added, as follows:

§ 1003.705 Procedure.

(a) The Pricing and Financial Division (MCPF), Hq AMC, will conduct or monitor all negotiated final overhead rates when the Air Force is the only procurement activity concerned or when the Air Force is the cognizant negotiating service for coordinated negotiations as described under § 3.706 of this title.

(1) MCPF will conduct the negotiation of all final overhead rates established pursuant to § 3.704–1 of this title when the Air Force is the only procurement activity concerned or when the Air Force is the cognizant negotiating service for coordinated negotiation (§ 3.706 of this title) except with colleges, universities and research institutes as shown in subparagraph (2) of this paragraph. The contractor's proposal will be forwarded through the administrative contracting officer for distribution to MCPF or Hq ARDC and to the cognizant auditor. The audit report will be forwarded by the cognizant auditor to MCPF or Hq ARDC through the Auditor General, USAF, liaison activity nearest the office responsible for the negotiation, with copies provided to the administrative contracting officer. In addition to the auditor's responsibility to obtain the contractor's reaction to the costs question, it will normally be the standard procedure for one copy of the audit report, exclusive of narrative comments, to be furnished to the contractor. Doing this concurrently with the auditor's submission to MCPF will enable the contractor, in cooperation with the appropriate auditor to submit additional data or clarify facts prior to the negotiation meeting. Such data summarizing the contractor's position on each item not conceded in the audit report should be forwarded to reach MCPF at least 2 weeks prior to actual negotiations. These comments will aid MCPF in writing the negotiation memorandum and generally expedite the actual negotiation.

(2) MCPF will monitor the negotiation of all final overhead rates established pursuant to § 3.704–2 of this title when the Air Force is the only procurement activity concerned or when the Air Force is the cognizant negotiating service for coordinated negotiations (§ 3.706 of this title) with colleges, universities and research institutes. The authority to conduct such negotiation has been delegated to Hq ARDC without redelegation authority.

(b) Advisory audit reports will be used in all final overhead negotiations except where MCPF or Hq ARDC, as appropriate, decides that the amount of overhead involved is so small that the cost of auditing is not justified and the cognizant audit agency is so notified.

(c) and (d) See § 3.705 (c) and (d) of this title.

(e) MCPF Hq AMC or Hq ARDC as appropriate will distribute the negotiation report to all Air Force and other Military Departments buying activities holding affected contracts and the audit activity.

(f) See § 3.705(f) of this title.

§ 1003.706 Coordination.

Where one or more military departments, other than the Air Force, have cost-reimbursement type contracts with a contractor, MCPF, Hq AMC, will coordinate with the other military departments in determining the cognizant negotiating activity. Should the determination be made that the Air Force will be the cognizant negotiating activity, MCPF, Hq AMC, will (a) for negotiations pursuant to § 3.704–1 of this title schedule the negotiation meeting, notify the other interested services and conduct the negotiation, or (b) for negotiations pursuant to § 3.704–2 of this title notify Hq ARDC who will be responsible for scheduling the negotiation meeting, notifying the other interested services and conducting the negotiations.

§ 1003.707 Cost sharing rates.

See § 3.707 of this title.

Subpart H—Price Negotiation Policies and Techniques

1. Section 1003.802–2 is revised as follows:

§ 1003.802–2 Selection of prospective sources.

See §§ 1003.101–52 and 1003.101–53(d), and Subparts G and H, Part 1 of this title, and Subparts G and H, Part 1001 of this chapter.

2. Sections 1003.804, 1003.804–1 and 1003.804–2 are revised as follows:

§ 1003.804 Conduct of negotiations.

§ 1003.804–1 General.

Procurement personnel must make thorough analysis of contractors' proposals and must have: (a) Current, complete, correct, and significant cost and pricing data and (b) types of subcontracts used or proposed before making decisions on contract prices. In addition to data furnished by contractor, each member of negotiating team (normally composed of PCO, ACO, price

analysts, quality control and production specialists, industrial engineer, and auditor) will contribute available specialized information needed to evaluate every aspect of proposal. The ACO must make specific comment as to effectiveness of contractor's procurement practices. The foregoing will be done in addition to requirement for certification prescribed by § 1003.811(b).

§ 1003.804–2 Late proposals.

(a) See § 3.804–2(a) of this title.

(b) See § 3.804–2(b) of this title.

(1) *Procedure.* Research and development procurements are exempt from the procedure set forth in this subparagraph and § 3.804–2(b)(2) of this title. The contracting officer will refer a written recommended course of action to the appropriate officer listed below for written concurrence:

(i) The director or deputy director of procurement and production at the AMC field procurement activity for contracts to be written by that activity.

(ii) The Commander, or his designee, of the AMC center concerned.

(iii) The commander of the major air command concerned (or a duly authorized representative not below the level of a staff officer responsible for procurement within the headquarters of the first echelon of command immediately subordinate to the major air command).

(2) See § 3.804–2(b)(2) of this title.

Subpart I—Subcontracting Policies and Procedures

Subpart I is revised as follows:

Sec.

1003.900	Scope of subpart.
1003.901	General.
1003.902	Review of "Make or Buy" program.
1003.902–50	Implementation.
1003.902–51	Reports.

AUTHORITY: §§ 1003.900 to 1003.902–51 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012. Interpret or apply secs. 2301–2314, 70A Stat. 127–133; 10 U.S.C. 2301–2314.

§ 1003.900 Scope of subpart.

See § 3.900 of this title.

§ 1003.901 General.

(a) "Make or buy" programs will be negotiated by the contractor and the procuring activity at the earliest practicable time. If possible, "make or buy" decisions will be made during performance of research and development or preproduction contracts which precede the request for a cost proposal on the end item. If the design status of the end item being procured is not sufficiently advanced to permit accurate precontract identification of all items that may be subject to "make or buy" decisions, the contractor will be notified that such items will be submitted, when identifiable, under the terms of the contract clause entitled "Changes to Make or Buy Program."

(b) Where a cost reimbursement, price redetermination, or incentive type contract is to be used, a review of the "make or buy" program should be made if there is a significant requirement for additional facilities to be furnished by contractor or the Government.

§ 1003.902 Review of "make or buy" program.

(a) See § 3.902(a) of this title.

(b) See § 3.902(b) of this title.

(1) Procuring activities will require prospective contractors to submit a "make or buy" program only on central procurements where cost reimbursement, price redetermination, or incentive type contracts are to be used.

(2) Submission of a "make or buy" program may be waived by the procuring activity if the proposed contract (except R & D contracts) has an estimated dollar value of less than $1,000,000.

(3) Research and development contracts are exempt from the provisions of this subpart except when it can reasonably be anticipated that follow-on quantities of the product will be procured.

(4) On all applicable procurements, the contractor will submit, with its proposal, a "make or buy" program as described in § 3.902(a) of this title, including, in addition to information required by § 3.902 (b) and (c) of this title: (i) A description by which each item can be readily identified, (ii) a recommendation to make or buy the item or defer the decision, (iii) the names of proposed subcontractors when feasible, and (iv) items to be made by the contractor, a designation of the corporate entity where it is proposed the work will be performed. The contractor should be informed that the program he submits should be confined to important items which, because of their complexity, quantity, cost, or requirement for additional Government facilities, normally would require company management review of the make-or-buy decision. Unimportant "detail parts" or "off-the-shelf" items that are listed should be deleted during negotiations.

(5) Either prior to or during negotiation of a "make or buy" program, the cognizant AFPRO or APD will assist the procuring activity by reviewing the program and substantiating data to assure that it is adequate to permit intelligent evaluation of the applicable factors in § 3.902(c) of this title.

(6) Prior to follow-on procurement, the procuring activity and the contractor will review the existing "make or buy" program to determine whether it should be revised.

(c) When a "make or buy" program is negotiated with a contractor, or there are changes or additions to a "make or buy" program, the consideration given each item on the "make or buy" program (§ 3.902(c) of this title) will be documented in the contract file.

(1) to (8) See § 3.902(c)(1) to (viii) of this title.

(9) Consideration will also be given to whether the item or work has been subcontracted on this or previous contracts, and the contractor proposes to withdraw the item or work into his own plant.

(d) See § 3.902(d) of this title.

(1) The contract clause entitled "Changes to Make or Buy Program" (§ 3.902(d) of this title) will be incorporated in all contracts for which a "make or buy" program is required.

(2) On applicable contracts, the cognizant AFPRO or APD will establish a procedure with the contractor to insure timely compliance with the terms of the contract clause. This procedure will include provisions for processing changes to the established "make or buy" program and for obtaining "make or buy" decisions for items reserved for deferred decision or unidentified at the time of contract negotiation. The administrative contracting officer will receive requests from the contractor for changes or additions to the established "make or buy" structure. The ACO will evaluate the contractor's proposal and forward it, with his recommendations, to the appropriate procuring contracting officer.

(e) See § 3.902(e) of this title.

§ 1003.902–50 Implementation.

(a) A "make" item on a "make or buy" program is defined as any item that is produced, or work that is performed, in or with facilities owned or operated by the corporation whose affiliate, subsidiary, division, etc., has management responsibility for delivery of the end item. Change in the location of production or work on "make" items is subject to the change notification clause prescribed in § 3.902(d) of this title.

(b) In all considerations relative to a "make or buy" program the procuring activity will obtain the advice and assistance of resources and pricing personnel, the field production office, AF small business specialists, and any other AF personnel whose knowledge would contribute to adequate consideration of the factors established in § 3.902(c) of this title.

(c) If a contract (including supplemental agreements for new procurement) does not include the clause entitled "Changes to Make or Buy Program" (§ 3.902(d) of this title), the contracting officer will document the contract file with a written statement of facts to sustain and make clear the appropriateness of the determination not to include the clause. Such determination will be based on one of the following: (1) the contract is exempt under the provisions of § 1003.902(b) (1), (2), or (3), (2) the contract is not exempt but there are no items which can be identified as constituting a "make or buy" program as defined in § 3.902(a) of this title, or (3) a deviation has been approved pursuant to § 1001.109 of this chapter.

§ 1003.902–51 Reports.

The reporting requirements of §§ 1003.901 and 1003.902 have been approved by the Bureau of the Budget according to the Federal Reports Act of 1942 and have been assigned BOB No. 21–R161 (which expires December 31, 1960).

Subpart J—Use of Price Differentials in Placing Procurement by Negotiation

Subpart J is deleted.

Subpart U—Depreciation of Emergency Facilities

Subpart U is added as follows:

AUTHORITY: §§ 1003.2100 to 1003.2106–1 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012. Interpret or apply secs. 2301–2314, 70A Stat. 127–133; 10 U.S.C. 2301–2314.

§ 1003.2100 Scope of subpart.

This subpart states policy, procedures, and responsibility governing recognition and determination of "true depreciation" in negotiated fixed-price and cost-reimbursement type contracts.

§ 1003.2101 Applicability of subpart.

This subpart applies to the Directorate of Procurement and Production, Hq AMC, AMC centers and field procurement activities, ARDC, AF base procurement activities in the continental United States and contract auditing personnel of the Auditor General, USAF.

§ 1003.2102 Definitions.

(a) The term "Board" as used herein means the "Air Force Emergency Facilities Depreciation Board" (MCPF) appointed by the Commander AMC, or his duly authorized representative, and located at Hq AMC.

(b) The term "normal depreciation" as used herein means depreciation rate currently approved by Internal Revenue Service for income tax purposes.

(c) The term "true depreciation" as used herein is defined in paragraph III of DOD Instruction 4105.34.

§ 1003.2103 Air Force emergency facilities depreciation board.

(a) *Authority.* The Commander, AMC is authorized to establish and has established and appointed a board designated the "Air Force Emergency Facilities Depreciation Board." The Board consists of three members, one of whom has been designated chairman. Any two members of the Board will constitute a quorum. The concurrence of any two members of the Board will be necessary in arriving at decisions of the Board. Authority to appoint members of the Board and to designate a chairman has been delegated to the Director of Procurement and Production, Hq AMC with power to redelegate such authority to the Deputy for Procurement, Hq AMC, without authority for further redelegation.

(b) *Application.* The determinations of the Board will be binding upon all AF purchasing and contract auditing activities and other military departments with respect to amount of true depreciation which will be used by such activities in computing and allocating depreciation costs of emergency facilities covered by Certificates of Necessity in pricing negotiated contracts. The Board has designated USAF (AFMPP–PR–2) as a liaison representative to act with representatives of the Department of the Army and Navy to perform coordinating functions as may be required.

(c) *Duties and responsibilities of board.* (1) The primary function of the Board is to determine, upon written request of contractors, amount of true depreciation of emergency facilities for which Defense Production Administration or Office of Civil and Defense Mobilization (OCDM) issues or has issued Certificates of Necessity. In making this determination the Board is authorized to rely upon the accuracy of information submitted by contractors according to § 1003.2106. The extent to which depreciation of emergency facilities is considered to be true depreciation will depend upon contractor's demonstration of loss of economic usefulness.

(2) To determine amount of true depreciation to be apportioned to the 5-year emergency period, the Board will consider, among other factors reason contractor planned its expansion program and depreciation policy followed by contractor in computing prices for commercial production.

NOTE: Effect of increased capital investments on contractor's financial structure should have no bearing in determining true depreciation.

(3) The Board's responsibility is limited to determinations on facilities covered by Certificates of Necessity.

(4) The Board will make separate determinations for each type of facility; e.g., buildings, machine tools, other equipment.

(5) The Board will keep minutes of its proceedings and maintain a permanent record of facts and other considerations entering into determinations made.

(6) The Board in special or unusual cases may request Defense Production Administration (DPA) to furnish available information which would be pertinent in determining true depreciation in those cases where DPA has previously issued a Certificate of Necessity.

(7) At its discretion, the Board may: (i) Hear oral presentations by contractors, (ii) arrange plant visits by its members or representatives, and (iii) develop by other means facts needed to make a determination.

(8) Inquiries concerning DOD Instruction 4105.34 should be sent to AMC (MCPF).

§ 1003.2104 Procedures.

(a) Contractors may request a determination of true depreciation by submitting all pertinent information to the Board through the administrative contracting officer. If contractors send request directly to the Board, the Board will provide administrative contracting officer with a copy of the request. To the extent practicable, contracts will include all certificates issued in connection with any individual plant or location which they desire to have considered for determination of true depreciation in connection with defense contracts, providing separate summary schedules of those certificates issued prior to and subsequent to December 10, 1952. Subcontractors may similarly request a determination of true depreciation by submitting all pertinent information to the cognizant prime contractor which in turn may refer request to its ACO for transmission to the Board. If more than one prime contractor is involved, subcontractor may submit the request to one prime contractor only. The administrative contracting officer will forward all requests promptly to the Board through the AMA.

(b) Before reviewing a case, the Board will determine jurisdiction. Requests received by the Board, involving facilities for which Department of Army or Navy is responsible, will be forwarded to the Board of the Department responsible. A liaison committee, in addition to such other functions as may be assigned it by joint action of the three Boards, will assign doubtful cases and compile and maintain a master assignment list.

(c) Determination will be transmitted by the Board to contractor AF procurement activities concerned, the Auditor General, Headquarters Liaison Office, Wright-Patterson Air Force Base, Ohio, and the Boards of the Departments of the Army and Navy. The Board will make similar distribution of determinations received from Army and Navy Boards.

(d) On emergency facilities covered by certificates of necessity issued on or after July 1, 1954, whenever a major portion of the cost of facilities in substantial amount is to be reimbursed to a contractor as an element of product prices during a relatively short period, consideration will be given in negotiation to protecting, by appropriate agreement, the Government's interest in the continued availability of the facilities for defense

§ 1003.2105 Duties and responsibilities.

(a) Industrial Facilities Division (LMBI), AMC Aeronautical Systems Center. LMBI in reviewing need for defense facilities, will consider possible cost to the Government. If Air Force is prime sponsor, LMBI will notify OCDM of need for the facility and include required data and a statement of all factual information available that might help OCDM.

(b) AF buying personnel: Only after the Board has made a determination will true depreciation be considered an allowable element of cost. If a contract is being negotiated and the Board has not made a determination, one of the following clauses providing for later adjustment of price to reflect determination of true depreciation can be used if the contractor insists on it:

(1) For currently negotiated fixed-price contracts: Contractor warrants that the prices specified herein do not contain any element reflecting more than normal depreciation of the emergency facilities constructed or acquired by the Contractor under certificates of necessity. If the Contractor elects to file a request for determination of true depreciation within 12 months from date of approval of this contract, then within 6 months from the date of such determination made in accordance with DODI 4105.34 dated July 1, 1954, and applicable

directives or such additional times as the Contracting Officer may approve, an equitable adjustment of contract prices for the supplies or services called for hereunder shall be negotiated and evidenced by an amendment to this contract.

(2) For currently negotiated final rates of overhead: Contractor warrants that the final rate of overhead specified herein for the period(s) _____ do not contain any element reflecting more than normal depreciation of emergency facilities constructed or acquired by the Contractor under Certificates of Necessity. If the Contractor elects to file a request for determination of true depreciation within 12 months from date of approval of this contract, then within 6 months, or such additional time as the Contracting Officer may approve, from the date of such determination made in accordance with DODI 4105.34, dated July 1, 1954, and applicable directives, an equitable adjustment of final rate of overhead specified above shall be negotiated and evidenced by an amendment to this contract.

(3) For current price redetermination negotiations: Contractor warrants that the redetermined prices specified herein for the period(s) _____ do not contain any element reflecting more than normal depreciation of emergency facilities constructed or acquired by the Contractor under Certificates of Necessity. If the Contractor elects to file a request for determination of true depreciation within 12 months from date of approval of this supplemental agreement, then within 6 months, or such additional time as the Contracting Officer may approve, from the date of such determination made in accordance with DODI 4105.34, dated July 1, 1954, and applicable directives, an equitable adjustment of contract prices for the supplies or services called for hereunder shall be negotiated and evidenced by an amendment to this contract.

(c) *Administrative contracting officers.* AF ACO's will send requests for determination of true depreciation to the Board through the AMA. Where the determination is clearly the responsibility of the AF Board, the ACO will keep one copy of the request, forward original and three copies of the request and three copies of the certificates, but take no other action except at specific request by the Board. AMA will keep one copy of request and certificates and forward the remainder to the Board. Where review and approval of subcontract prices is required, the ACO will approve no allowance for true depreciation unless the Board has made a determination.

§ 1003.2106 Contractors' requests for determination of true depreciation.

Requests will:

(a) Include information called for by § 1003.2106–1. Contractors are required to furnish five copies of the information, properly certified and three copies of the Certificate applications including supporting schedules.

(b) Be signed by a responsible official of the contractor.

(c) Contain the following certification by the official signing the request:

I hereby certify that the information contained in the foregoing request is true and correct to the best of my knowledge and belief.

§ 1003.2106–1 List of contractor information.

Information to be submitted by contractors to the board to support requests for determination of true depreciation on emergency facilities covered by certificates of necessity. The contractor will submit to the Army, Navy, or Air Force Emergency Facilities Depreciation Board (as appropriate), his request for a determination of true depreciation by an original and four copies of items other than item 2, and three copies for item 2. The request will contain the information indicated below. The contractor, to the extent practicable, will include all certificates issued in connection with any individual plant or location which he desires to have considered for determination of true depreciation in connection with the defense contracts. The responses to these questions may be in narrative or tabular form as the contractor deems best suited to his circumstances with such amplification as he considers necessary. If the contractor considers a given question to be inapplicable in his particular case, he should so state and give reasons therefor. The reporting and/or record keeping requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942 (AF Bul 51, 1951). (Bureau of the Budget No. 21–R060 (expiration—indefinite)).

1. (a) Name and address of contractor.
(b) Location of the facility or facilities.
(c) Summary of the cost of the facilities (segregated by individual necessity certificates) substantially as follows:

	Cost					
Land	Buildings and fixed installations	Equipment	Other	Total	Date completion	Percent certified

Necessity Certificate No. _____:
Location of Facilities _____ (City and State).

2. Photostats or similar facsimiles of Necessity Certificate(s) (Form ODM 78), and one copy of the application(s) (including supporting documentation) to the Defense Production Administration or the Office of Civil and Defense Mobilization therefor.

3. (a) When did you first authorize your expansion program in connection with the Necessity Certificate(s)?
(b) Why did you plan this expansion program?

4. What military contracts and subcontracts do you now have requiring the use of each facility? For each contract and subcontract furnish the following:
(a) Contract number.
(b) Total dollar value.
(c) Undelivered dollar value.
(d) Estimated completion date.
(e) Type of contract (CPFF fixed price, fixed price-redetermination, fixed price-incentive, etc.).

5. With which military departments or military contracts are you now negotiating or do you expect to negotiate for proposed new procurements? Indicate type of product, end item estimated dollar amount.

6. Have you requested a determination of "true depreciation" for other facilities from any other military department(s)?
(a) Yes or no.
(b) Department(s).
(c) Certificate file number(s).

7. State for each item or by groups or categories comprising similar type of items on Appendix A of Necessity Certificate(s):
(a) (1) Annual normal depreciation rate currently approved by the Bureau of Internal Revenue for income tax purposes.
(2) Rate at which item is being depreciated by you in your operating accounting records.
(3) Rate being used for military contract pricing.
(b) Is this item, group or category integrated in or isolated from the production process to the extent that special consideration should be given to it in determining true depreciation?
(c) Is this item, group or category convertible to your possible post-emergency operations?
(1) Fully or partially and percent of original cost not convertible.
(2) Estimate of useful remaining life in years.
(3) Not convertible.
(d) What plans do you have for the use or disposition of this facility, item, group or category after the emergency period?
(e) Explain to what extent, if any, the facility, item, group or category may cause prospective extraordinary obsolescence of preexisting facilities which are not, in fact, already obsolete.
(f) Describe briefly and state cost of any special construction features included in this facility, item, group, or category which were made necessary *exclusively by defense production requirements.*

8. State any additional information other than that submitted above which should be taken into consideration in making a determination of true depreciation for this facility, item, group, or category.

9. State your estimate of true depreciation for each facility, item, group, or category and your evaluation of the above facts to support such estimate.

(Sec. 8012, 70A Stat. 488; 10 U.S.C. 8012. Interpret or apply secs. 2301–2314, 70A Stat. 127–133; 10 U.S.C. 2301–2314)

PART 1004—COORDINATED PROCUREMENT

Part 1004 is completely revised, as follows:

Sec.
1004.002 Procurement agreements.

Subpart A—Definition of Terms

1004.101 Definitions.
1004.101–1 Coordinated procurement.
1004.101–2 Single procurement.
1004.101–3 Requiring department.
1004.101–4 Procuring department.
1004.101–5 Military interdepartmental purchase request (MIPR).

Subpart B—Policies and General Principles

1004.200 Scope of subpart.
1004.201 Application of procurement assignment.
1004.202 Responsibility under single procurement.
1004.202–1 Single department procurement.
1004.202–2 Joint procurement.

AUTHORITY: §§ 1004.002 to 1004.215 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012. Interpret or apply secs. 2301–2314, 70A Stat. 127–133; 10 U.S.C. 2301–2314.

§ 1004.002 Procurement agreements.

This section implements Department of Defense policies on the making of procurement agreements and the delegation of functional responsibilities related to procurement from one military department to another.

(a) ARDC activities authorized to procure research and development services or test items and AMC central procurement activities (centers, AMA's and AFD's) are authorized to enter into bilateral agreements with activities of the other military departments for the coordinated procurement of supplies or services, or the delegation of functional responsibilities related to procurement.

(b) Bilateral agreements may be made on either a one-time or a continuing basis and implemented to the degree required to efficiently accomplish their purpose. The submission of a procurement request by a requiring activity of one department and its acceptance by a procurement activity of another department, even though based on verbal communication, will establish a one-time agreement. Bilateral agreements of a continuing nature and those applicable to multiple activities will be formalized, distributed, and implemented among the activities involved.

(c) The Coordinated Procurement and Assignment Branch (MCPPC), Hq AMC, is responsible for monitoring the coordinated procurement program. Recommendations or questions pertaining to bilateral agreements may be referred to AMC (MCPPC). Two copies of each formal procurement agreement will be forwarded to MCPPC.

(d) Formal agreements applicable to multiple AMC procurement activities are contained in AMCM 70–4.

Subpart A—Definitions of Terms

§ 1004.101 Definitions.

See § 4.101 of this title.

§ 1004.101–1 Coordinated procurement.

See § 4.101–1 of this title.

§ 1004.101–2 Single procurement.

See § 4.101–2 of this title.

§ 1004.101–3 Requiring department.

See § 4.101–3 of this title.

§ 1004.101–4 Procuring department.

See § 4.101–4 of this title.

§ 1004.101–5 Military interdepartmental purchase request (MIPR).

See § 4.101–5 of this title.

Subpart B—Policies and General Principles

§ 1004.200 Scope of subpart.

See § 4.200 of this title.

§ 1004.201 Application of procurement assignment.

Single procurement assignments are of limited application within the Air Force to other than AMC central procurement activities. (See § 4.203–6 of this title and § 1004.203–6).

§ 1004.202 Responsibility under single procurement.

Recommendations and questions concerning procurement assignments and implementing instructions may be referred through channels to AMC (MCPPC).

§ 1004.202–1 Single department procurement.

See § 4.202–1 of this title.

§ 1004.202–2 Joint procurement.

See § 4.202–2 of this title.

§ 1004.202–3 Plant cognizance procurement.

See § 4.202–3 of this title.

§ 1004.203 General principles governing implementation of procurement assignments.

§ 1004.203–1 Standard format; development and promulgation of implementing procedures.

(a) Each implementing procedure sets forth the circumstances under which the assigned items are authorized to be centrally procured by other than the assigned department or agency. See § 1004.203–6 concerning items designated for local purchase (base procurement) as a normal means of supply.

(b) Direct or local purchase (base procurement) of an item(s) assigned to the Army, Navy, a joint agency or a single manager may be authorized by the property class manager in the AF prime AMA or depot, on a one-time basis provided such authorization is according to the terms of the implementing procedures. Such items may not be purchased directly nor authorized for local purchase (base procurement) beyond the terms of the implementing procedures unless a written waiver or clearance has been obtained in each case from the department, joint agency or single manager having procurement responsibility. When a waiver or clearance is obtained, such authority will be attached to the purchase request as a matter of record.

§ 1004.203–2 Relationship between research and development and single procurement.

See § 4.203–2 of this title.

§ 1004.203–3 Small dollar value purchases.

See § 4.203–3 of this title.

§ 1004.203–4 Emergency.

See § 4.203–4 of this title.

§ 1004.203–5 Department of Defense manufacturing establishments.

See § 4.203–5 of this title.

§ 1004.203–6 Local purchase as a normal means of supply.

(a) *Scope.* This section sets forth the policy with respect to the Air Force authority to make direct purchases (including base procurements) of non-military type items assigned to the Army, Navy, a joint agency, or a single manager of procurement.

(b) *Applicability.* This section applies to all AF activities effecting procurements within the United States.

(c) Items which are assigned to another department or agency of the Department of Defense for procurement, but which are currently coded local purchase in AF stock lists and funded for local purchase (base procurement) as the normal means of supply may be purchased by AF activities in the open market without reference to the assignment. When an item is coded local purchase for a future fiscal year, this authority will become effective with the effective date of the local purchase coding.

(d) This extended local purchase (base procurement) authority does not apply to items assigned to the General Services Administration for procurement. The policies and procedures for acquiring supplies or services through the facilities of the GSA or other Government Agencies are set forth in Part 5 of this title and Part 1005 of this chapter.

§ 1004.204 Items in short supply.

See § 4.204 of this title.

§ 1004.205 Transfer of uncompleted contracts.

§ 1004.205–1 Effect of assignment of procurement responsibility.

See § 4.205–1 of this title.

§ 1004.205–2 Disputes under transferred contracts.

See § 4.205–2 of this title.

§ 1004.205–3 Contracting officers under transferred contracts.

See § 4.205–3 of this title.

§ 1004.206 Purchase authorization.

§ 1004.206–1 MIPR's or other authorized procurement requests.

Procurement assignments are predicated on centralized procurement and supply methods; therefore, only AMC activities authorized to centrally procure supply items and ARDC activities authorized to procure R & D and test items may initiate MIPR's. The use of MIPR's and other authorized procurement requests is prescribed in § 16.600 of this title. The foregoing restriction does not apply to foreign procurement activities.

§ 1004.206–2 Determinations and findings.

See § 4.206–2 of this title.

§ 1004.207 Components of end items.

§ 1004.207–1 Contractor-furnished components.

See § 4.207–1 of this title.

§ 1004.207–2 Government-furnished components.

See § 4.207–2 of this title.

§ 1004.207–3 Purchase of components over and above those initially purchased with the end item.

See § 4.207–3 of this title.

§ 1004.208 Funds and payments.

Each MIPR prepared by an AF activity will contain instructions concerning submission of invoices and will designate the accounting and finance office (disbursing office) which will make payment on the resulting contract. The Director of Accounting and Finance, Hq USAF, is responsible for exchanging information on disbursing offices with the Department of the Army and Navy and will furnish AF activities with lists of disbursing officers and general requirements concerning submission of invoices. Financing or funding will be done according to any approved method agreed upon by the departments concerned. In this connection, it is AF policy to make direct citation of funds on Military Interdepartmental Purchase Request (DD Form 448 and 448–1), with disbursement of such funds being accomplished by the AF accounting and finance officer designated in the MIPR.

§ 1004.208–1 Citation of appropriation and funds of requiring department.

See § 4.208–1 of this title.

§ 1004.208–2 Citation of funds of procuring department.

See § 4.208–2 of this title.

§ 1004.210 Administrative costs.

See § 4.210 of this title.

§ 1004.211 Inspection.

See § 4.211 of this title.

§ 1004.212 Execution and administration of contracts.

See § 4.212 of this title.

§ 1004.213 Status reporting.

See § 4.213 of this title.

§ 1004.214 Specifications.

See § 4.214 of this title.

§ 1004.215 Transportation of supplies.

See § 4.215 of this title.

PART 1005—INTERDEPARTMENTAL PROCUREMENT

Subpart A—Procurement Under Federal Supply Schedule Contracts

In § 1005.103–2(d), subparagraph (3) is revised to read as follows:

§ 1005.103–2 Exceptions to mandatory use.

* * * * *

(d) * * *

(3) It is mandatory that all U.S. requirements for household and quarters furniture and equipment covered in the Federal Supply Schedules or GSA Stores Stock Catalogs be satisfied through GSA sources. This includes U.S. requirements for household and quarters furniture and equipment exceeding the maximum order limitation in the Federal Supply Schedules. It is also mandatory that unscheduled or Military specification household and quarters furniture and equipment (Table of allowance 1–1Q items) requirements in the U.S. be procured by GSA when the total amount of the requirement is in excess of $2,500. The mandatory actions of this subparagraph apply to all Table of Allowance 1–1Q items except mattresses and bedclothing FSC 7210, and prison and blind made products mandatory through other channels. The mandatory actions of this subparagraph apply to major appliances such as household washers, dryers, refrigerators, and ranges, and are also applicable to procurements made in the U.S. to fulfill oversea requirements. Requirements for household and quarters furniture and equipment as described in this subparagraph, will be obtained as follows:

(i) U.S. requirements for items covered in and within the limitations of the Federal Supply Schedules or GSA Stores Stock Catalogs will be satisfied through the prescribed GSA sources according to established procuring and requisitioning procedures.

(ii) U.S. requirements for items exceeding the maximum order limitations of Federal Supply Schedules and requirements for other than scheduled or GSA stores stock items will be requisitioned by supply activities directly from GSA, Federal Supply Service, National Buying Division, 7th and D Street, SW., Washington 25, D.C.

(iii) Oversea supply activities will forward orders for all items not procurable in the oversea area under the provisions of § 1006.2001–1 of this chapter directly to the appropriate GSA regional office as specified in paragraph 30, section II, volume II, AFM 67–1.

(Sec. 8012, 70A Stat. 488; 10 U.S.C. 8012. Interpret or apply secs. 2301–2314, 70A Stat. 127–133; 10 U.S.C. 2301–2314)

PART 1006—FOREIGN PURCHASES

Subpart A—Buy American Act; Supply and Service Contracts

1. Section 1006.103–5 is added as follows:

§ 1006.103–5 Canadian supplies.

See § 6.103–5 of this title.

(a) *Findings.* Pursuant to the Buy American Act (41 U.S.C. 10 a–d) and in keeping with ASPR 6–103.5, 6–104 and 6–504, as revised April 20, 1959, I hereby determine that it would be inconsistent with the public interest to apply the restrictions of the Buy American Act to the acquisition of supplies mined, produced, or manufactured in Canada which are included in the following list:

FEDERAL SUPPLY CLASSIFICATION

Group	
12	Fire Control Equipment, Classes 1230, 1270, 1280, 1290.
13	Ammunition and Explosives, Classes 1336, 1340, 1375.
14	Guided Missiles, All Classes.
15	Aircraft and Airframe Structural Components, All Classes.
16	Aircraft Components and Accessories, All Classes.
17	Aircraft Launching, Landing, and Ground Handling Equipment, All Classes.
26	Tires and Tubes, Class 2620.
28	Engines, Turbines, and Components, Classes 2805, 2810, 2815, 2835, 2840, 2845, 2895.
29	Engine Accessories, All Classes.
43	Pumps and Compressors, Class 4310.
49	Maintenance and Repair Shop Equipment, Classes 4920, 4931, 4935.
58	Communication Equipment, Classes 5805, 5815, 5820, 5821, 5825, 5826, 5830, 5831, 5835, 5840, 5841, 5850, 5895.
59	Electrical and Electronic Equipment Components, All Classes.
61	Electric Wire, and Power and Distribution Equipment, All Classes.
63	Alarm and Signal Systems, Class 6340.
66	Instruments and Laboratory Equipment, Classes 6605, 6610, 6615, 6620, 6625.
67	Photographic Equipment, All Classes.
69	Training Aids and Devices, Classes 6910, 6920, 6930, 6940.

P. B. TAYLOR,
Assistant Secretary of the Air Force.

(b) to (d) See § 6.103–5(b) to (d) of this title.

Subpart C—Appropriation Act Restrictions on Procurement of Foreign Supplies

A new Subpart C is added as follows:

Secs.	
1006.300	Scope of subpart.
1006.301	Definition.
1006.302	Restriction.
1006.303	Exceptions.
1006.304	Procedures.
1006.304–1	Procurement of food, clothing, spun silk yarn for cartridge cloth, or items containing mohair or cotton.
1006.304–2	Procurement of items containing wool (except mohair).
1006.305	Contract clause.

AUTHORITY: §§ 1006.300 to 1006.305 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012.

Interpret or apply secs. 2301–2314, 70A Stat. 127–133; 10 U.S.C. 2301–2314.

§ 1006.300 Scope of subpart.

See § 6.300 of this title.

§ 1006.301 Definition.

See § 6.301 of this title.

§ 1006.302 Restriction.

See § 6.302 of this title.

§ 1006.303 Exceptions.

See § 6.303 of this title.

§ 1006.304 Procedures.

See § 6.304 of this title.

§ 1006.304–1 Procurement of food, clothing, spun silk yarn for cartridge cloth, or items containing mohair or cotton.

See § 6.304–1 of this title.

§ 1006.304–2 Procurement of items containing wool (except mohair).

See § 6.304–2 of this title.

§ 1006.305 Contract clause.

See § 6.305 of this title.

Subpart E—Canadian Purchases

1. Section 1006.501 is revised as follows:

§ 1006.501 Purchases from Canadian suppliers.

Awards, resulting in the placement of a prime contract in the Dominion of Canada, will be made to the Canadian Commercial Corporation, 2450 Massachusetts Avenue NW., Washington, D.C. For award of research contracts with Canadian Educational Institutions see § 1006.554. This subpart is not applicable to base procurement activities. Such activities will enter into contracts directly with Canadian firms.

2. Sections 1006.502, 1006.503 and 1006.551 are added as follows:

§ 1006.502 Guarantee by Canadian Government.

See § 6.502 of this title.

§ 1006.503 Agreement with Department of Defence Production (Canada).

(a) See § 6.503(a) of this title.

(b) Where proposals are received in Canadian currency, the amount of the resultant contract will also be stated in Canadian currency. The contract amount will be annotated to indicate clearly that the contract is stated in terms of Canadian currency. The Administrative Commitment Document (ACD) will be written in terms of United States currency and will be based upon the rate of exchange used in evaluation of proposals.

(c) The Agreement provides for reciprocal inspection service on prime and subcontracts of the military departments and the Department of Defense Production (Canada).

§ 1006.551 Submission of bids and proposals.

(a) Bids and proposals received directly from Canadian firms will not be accepted. The Canadian Commercial Corporation is to receive bids and proposals from individual Canadian firms for forwarding by cover letter to the procuring activity; and any bid or proposal received directly from a Canadian firm should be referred to the Canadian Commercial Corporation. The cover letter should state that awards as a result of the bids or proposals forwarded may be made to the Canadian Commercial Corporation.

(b) Bids of the Canadian Commercial Corporation will be subject to the same evaluation as the bids of the United States firms and, with United States firms, bids which do not conform to the essential requirements of the IFB will be considered nonresponsive.

3. Section 1006.554 is revised to read as follows:

§ 1006.554 Research contracts with Canadian educational institutions.

The Canadian Government, through the Defence Research Board of Canada, has requested that all research procurements contemplated with educational institutions in Canada be cleared through a central point to prevent United States agencies from duplicating support of research projects already supported by Canadian Government agencies. Accordingly, the following procedure will govern in the placement of research contracts with Canadian educational institutions.

(a) Unclassified Requests for Proposal will be forwarded directly to the institution, provided two copies are forwarded concurrently to the Defence Research Member (DRM), Canadian Joint Staff, 2450 Massachusetts Avenue NW., Washington, D.C. Unless the DRM advises that the proposed institution is not in a position to undertake the research, procurement action will proceed in a normal manner.

(b) Unsolicited research proposals received from Canadian educational institutions will be forwarded to Hq ARDC (RDSFR) for action.

(c) Unclassified research contracts awarded to Canadian educational institutions will be forwarded directly to the institution, provided one copy is forwarded concurrently to the DRM and one copy concurrently to the Chairman, Defence Research Board, Headquarters, Department of National Defence, Ottawa, Canada. Unless the institution is advised to the contrary by DRM, it will execute the contract. Subsequent to the execution for the U.S. Government, the procuring contracting officer will notify the Defence Research Member, Washington, D.C. of the date of award.

(d) Requests for proposals involving United States classified defense information will be forwarded to Hq ARDC (RDSFIF) for action.

Subpart F—Duty and Customs

Section 1006.605 is added as follows:

§ 1006.605 Duty-free entry of listed Canadian supplies.

See § 6.605 of this title.

Subpart T—Offshore Procurement

1. Section 1006.2000 is revised to read as follows:

§ 1006.2000 Definitions.

For purposes of this subpart, separate definitions are given for USAF and MAP offshore procurements.

(a) For USAF procurements, "Offshore Procurements (OSP)" means procurement of material, supplies, or services by foreign procurement activities, AMFPA, and AMFEA from indigenous sources for delivery and use outside the continental United States, its Territories and possessions; "Indigenous Sources" are those procurement sources outside the continental United States, its Territories and possessions; "Services" include repairs and utilities projects and service contracts involving private contractors.

(b) For MAP procurements, "Offshore Procurement (OSP)" means the procurement in friendly foreign countries of military equipment, materials, or services included in the Military Assistance Program.

It should be pointed out that offshore procurement does not constitute a separate or special category of AF activity, but is rather a program to encourage and facilitate procurement of USAF and MAP requirements from friendly sources for the mutual benefit of the United States and allied nations.

2. Section 1006.2001 is added as follows:

§ 1006.2001 Policies applicable to USAF and MAP offshore procurements.

(a) The OSP program is under overall policy guidance of the Department of Defense and the Joint Chiefs of Staff, under basic authority contained in the Mutual Defense Assistance Act of 1951, with broad objectives of developing foreign production sources and military defenses.

(b) The OSP program will be implemented to the maximum extent practicable for both USAF and MAP requirements when this is to the advantage of the United States.

(c) See § 4.201 of this title regarding single department procurement assignments outside the continental United States.

§ 1006.2001–2 [Amendment]

3. In § 1006.2001–2, the section heading is revised to read: "MAP procurements."

4. Section 1006.2002 is revised to read as follows:

§ 1006.2002 Functions and responsibilities; MAP program.

(a) When appropriate and by mutual agreement between Commander-in-Chief, Pacific (CINCPAC) and Commander-in-Chief Far East (CINCFE), CINCFE will administer MAP/OSP in Pacific Command (PACOM).

(b) In developing offshore procurement programs to purchase maximum justifiable quantities from sources in friendly foreign countries, Hq USAF will place emphasis on items: (1) Having high combat mortality, the production of which overseas will result in decreased demands on the United States for logistic support in time of war, (2) where pro-

duction sources in the United States are either nonexistent or limited and it is not desirable to establish or expand such sources, (3) for which production offshore will perpetuate or expand an existing desirable defense production base. Selection of items will further be based upon procurement abroad not resulting in one or more of the following:

(i) Serious adverse effects on the United States defense production base.

(ii) Unjustifiable costs in comparison with procurement costs in the United States, including transportation from the United States to recipient countries.

(iii) Delays in delivery incompatible with United States defense objectives.

(iv) Production offshore which would be detrimental to the security interests of the United States.

(c) Under criteria outlined in paragraph (c)(2) and (c)(3) of § 1006.2001–2, and otherwise when considered appropriate, CINCEUR, CINCFE, and CINCPAC, for their respective areas, will be responsible for developing and submitting proposals for offshore procurement projects in excess of approved offshore procurement programs. Such proposals will be fully justified to the Assistant Secretary of Defense (ISA) and will include sufficient information for a final determination.

5. In § 1006.2005, paragraphs (b) to (d) are added as follows:

§ 1006.2005 Prohibitions.

* * * * *

(b) *Reacquisition of surplus items.* See Subpart O, Part 1053 of this chapter, "Prior Government Ownership of Items Being Procured."

(c) *Purchases from sources in the continental United States.* With the exception of the procurement activities listed below, contracting officers in oversea commands, including United States Territories and possessions, will not effect base procurement of supply items from sources within the continental United States. When supplies are not available for base procurement from sources in the oversea area, the purchase request will be returned to the initiator for requisition according to applicable supply regulations.

(1) When supply items are not available from local sources, contracting officers in the following commands and AF bases are authorized to effect base procurement in the continental United States:

(i) Alaskan Air Command. (This includes contracting officers at AF bases within the Alaskan Air Command.)

(ii) Ramey Air Force Base, Puerto Rico.

(iii) Anderson Air Force Base, Guam.

(iv) Hickam Air Force Base, Hawaii.

(v) Albrook Air Force Base, Canal Zone.

(2) There is no prohibition to restrict the procurement of services from sources within the continental United States, whenever feasible or practicable to do so.

(3) Exception for emergency base procurement of nonstandard medical supplies. This subparagraph authorizes emergency base procurement of nonstandard medical supplies in the United States, in an amount not in excess of $100 per line item or totaling more than $100 per purchase. This subparagraph applies to all oversea commands when the situation is critical and when such medical items are required on an emergency basis and are not available through military supply channels.

(d) *Appropriation Act restrictions in procurement of foreign supplies.* See Subpart C, Part 6 of this title and Subpart C of this part.

(Sec. 8012, 70A Stat. 488; 10 U.S.C. 8012. Interpret or apply secs. 2301–2314, 70A Stat. 127–133; 10 U.S.C. 2301–2314)

PART 1007—CONTRACT CLAUSES

Subpart A—Clauses for Bilateral Fixed-Price Supply Contracts

1. Sections 1007.104–9 and 1007.104–10 are revised as follows:

§ 1007.104–9 Rights in data.

See § 7.104–9 of this title.

§ 1007.104–10 Ground and flight risk.

See § 7.104–10 of this title.

2. Section 1007.104–22 is added as follows:

§ 1007.104–22 Subcontracts.

See § 7.104–22 of this title. Also see § 1007.4030.

Subpart B—Clauses for Cost-Reimbursement Type Supply Contracts

Sections 1007.203–8 and 1007.204–55 are revised to read as follows:

§ 1007.203–8 Subcontracts.

See § 7.203–8 of this title.

§ 1007.204–55 Financial management report.

Insert the following clause in contracts of $25,000 or more.

(a) On or before the thirtieth day of the month following the end of each calendar quarter, until such time as the uninvoiced dollar amount of this contract is less than $25,000, the Contractor shall submit to the Contracting Officer, on DD Form 1097, dated November 1, 1959, or other authorized form calling for substantially the same information, furnished by the Contracting Officer, a report of the financial status of the contract, as of the end of such quarter. The Contracting Officer may extend the time for filing said report for a period not to exceed ten working days.

(b) This clause does not modify the obligations of the Contractor under the clause of this contract entitled ("Limitation of Cost").

Subpart D—Clauses for Cost-Reimbursement Type Research and Development Contracts

Section 1007.404–17 is revised as follows:

§ 1007.404–17 Financial management report.

Insert the clause set forth in § 1007.204–55 in contracts in excess of $25,000, with commercial contractors and in excess of $100,000 if with nonprofit institutions.

Subpart AA—Clauses for Facilities Contracts

1. In § 1007.2703–13, paragraph (d) of the Clause is revised as follows:

§ 1007.2703–13 Termination.

* * * * *

TERMINATION

* * * * *

(d) In the event any facilities are to be purchased or constructed hereunder by the Contractor on behalf of the Government, upon termination hereunder by the Government of any such purchased or constructed facilities prior to the completion thereof, the Contractor shall stop all further work and the making of all further commitments thereon. The Contractor and the Contracting Officer shall negotiate an amount that will reasonably compensate the Contractor for the actual cost, if any, incurred by it with regard to such terminated items. If no such agreement is reached within thirty (30) days after the date of termination (or within such longer period as may at any time be mutually agreed upon), the Contractor shall be paid an amount, if any, as determined by the Contracting Officer, which together with all sums previously paid by the Government on account of the items, shall be sufficient to reimburse the Contractor for expenses paid and the settlement of any obligations incurred by the Contractor thereon. In lieu of reimbursing the Contractor for the settlement of such obligations the Government, in the discretion of the Contracting Officer, may assume such obligations or any of them. Regardless of whether the amount to be reimbursed pursuant to this paragraph (d) is established by negotiation between the Contractor and the Contracting Officer or by determination of the Contracting Officer as hereinbefore provided, the aggregate of reimbursement on account of the items (and of all payments previously made) together with the amount of any obligations assumed shall not exceed the actual costs incurred thereon. Upon payment to the Contractor pursuant to this paragraph (d) title to all materials, supplies, work in process and other things for which payment is made (except such property as may be sold or retained as provided in (c)(2) above) shall vest in the Government (if title thereto has not already vested in the Government). The Government shall also be entitled to any rights under any commitment which it may assume or for the settlement of which it shall have reimbursed the Contractor.

2. In § 1007.2704–1, paragraph (b) of the clause is revised to read as follows:

§ 1007.2704–1 Labor standards for construction work.

* * * * *

Labor Standards for Construction Work

* * * * *

(b) Upon determination that the Davis-Bacon Act is applicable to any item of work to be performed hereunder, Contractor shall submit a request for a predetermination of the prevailing wage rates to be made applicable to such work. Upon receipt of such request the Contracting Officer, shall, as soon as possible, obtain a predetermination of the applicable prevailing wage rates and publish such rates and incidental instructions in numbered exhibits to this contract. Upon publication thereof such exhibits shall be considered the wage determination decision of the Secretary of Labor referred to in paragraph (c)(1)(A) of this clause. Each such

exhibit shall indicate to what work the rates set forth therein shall apply including the period of time within which subcontracts subject to such rates may be issued.

Subpart EE—Clauses for Construction Contracts

1. Sections 1007.3103, 1007.3103–1 and 1007.3103–3 are revised to read as follows:

§ 1007.3103 Required clauses.

All construction contracts, excepting those for which Subpart D, Part 16 of this title or Subpart D, Part 1016 of this chapter, prescribes another form, will consist of Standard Form 23, "Construction Contract," the clauses contained in Standard Form 23A, "General Provisions (Construction Contracts)" (see Subpart D, Part 16 of this title and Subpart D, Part 1016 of this chapter), and the following additional general provisions which will be serially numbered beginning with the number 27 to follow the numbering of Standard Form 23A.

§ 1007.3103–1 Alterations in contract.

Insert the clause set forth in § 7.105–1 of this title and specify therein which of the printed clauses of Standard Form 23A or other printed part of the contract have been deleted, added to or changed and refer to the respective substituted clauses (see § 7.105–1 of this title). The substituted clauses will be the current ASPR or AFPI clause covering the deleted subject matter.

§ 1007.3103–3 Federal, State and local taxes.

Insert the clause set forth in § 11.401–1 of this title.

§ 1007.3103–7 [Deletion]

2. Section 1007.3103–7 is deleted.

Subpart NN—Special Clauses

1. In § 1007.4008, the Clause is revised to read as follows:

§ 1007.4008 Accelerated delivery.

* * * * * *

Accelerated Delivery

The Contractor is authorized to exceed the delivery rate, or to complete performance of this contract prior to the time therefor, set forth in the schedule; provided, however, that nothing contained herein shall obligate the Government to perform any of its obligations to the Contractor at an earlier date than is set forth in this contract in order to assist the Contractor to make deliveries on an accelerated basis.

§ 1007.4011 [Amendment]

2. In § 1007.4011, the opening paragraph is designated (a), and a paragraph (b) is added following the clause, as follows:

§ 1007.4011 Recapture clause for equipment rental contracts.

* * * * *

(b) *Limitation on rental of equipment.* The existence of the above clause will not be construed as the authority for the rental of property. Although otherwise authorized, equipment may be rented only when: (1) Reasonable rental rates are obtainable, and (2) purchase of the equipment would not be more advantageous to the Government than rental. In no event shall equipment be rented when the rental rates are so high that use of the foregoing clause makes the rental contract tantamount to the procurement of equipment on an installment basis.

3. In § 1007.4013, the clause is revised as follows:

§ 1007.4013 Quality control specification.

* * * * *

Quality Control Specification

Except as otherwise provided in this contract, the contractor's system of quality control during the performance of this contract shall be in accordance with the provisions of Military Specification MIL–Q–9858 and U.S. Air Force Specification Bulletin No. 515, Control of Nonconforming Supplies, as in effect on the date of this contract, incorporated herein by reference, unless this contract is one of the types specified in paragraph 1.2 of Specification MIL–Q–9858.

§ 1007.4022 [Amendment]

4. Section 1007.4022 *Flight Risk* is amended and is subject to the following limitations:

a. Section 10.404 of this title prescribes a "Ground and Flight Risk" clause for use in negotiated fixed price contracts. As a result, paragraph (a) of § 1007.4022 is rescinded and reserved.

b. This section is accordingly limited to the following conditions: § 1007.4022 (b) is authorized for use in CPFF contracts until modified or an ASPR clause covering the subject matter therein is published. When § 10.404 of this title is used, the reference in Government Furnished Property clause, § 13.502(f) of this title, to a "Flight Risk" clause, will be changed to refer to the "Ground and Flight Risk" clause.

§ 1007.4027 [Deletion]

5. Section 1007.4027 is deleted.

§ 1007.4041 [Amendment]

6. Section 1007.4041 "Descriptive identification data to be furnished by Government suppliers" is amended as follows:

a. By adding the following sentence to the instructions for use of the clauses: "In the event the PR or MIPR calls for prescreening data only, the first sentence of the (a) or (b) clause will be changed to read: The contractor shall furnish prescreening data in accordance with requirements of MIL–P–9855 (USAF) as in effect on the date of this contract."

b. By inserting the words "as in effect on the date of this contract" immediately after "(USAF)" appearing in the first sentence of both the (a) and (b) clauses.

c. Until such time as MIL–D–26715 (USAF) is published (which revision will include MIL–P–9855), the following sentence will be added to the (a) and (b) clauses unless the first sentence has been changed pursuant to (a) above. "Prescreening data shall be furnished by the contractor in accordance with the provisions of MIL–P–9855 (USAF), as in effect on the date of this contract, however, the provisions of MIL–D–26715 (USAF) which relates to the preparation of selected items lists will not apply."

7. In § 1007.4051, a paragraph (d) is added as follows:

§ 1007.4051 Special provisions relating to Air Force equipment upon which work is to be performed.

* * * * *

(d) *Limitations.* Section 10.404 of this title provides coverage for aircraft furnished for modification, maintenance, or overhaul. Therefore, this section will not be used in any contract which requires the use of § 10.404 of this title. However, indefinite quantity contracts containing § 10.404 of this title, which have been negotiated on the basis that there will be no increase in unit price even though the actual input varies from the estimated input, must clearly state in the schedule that the quantity of aircraft to be furnished for modification is an estimate only and that notwithstanding the provisions of the Government Property clause, no increase in unit price shall be made by reason of a variation in the quantity of aircraft input from the estimated quantity set forth in the contract.

8. Section 1007.4053 is revised to read as follows:

§ 1007.4053 Notice of radioactive materials.

All aircraft missile, and major components contracts, and all other contracts for items which contain radioactive materials or which will become radioactive as a result of work accomplished under the contract will contain the following clause.

Notice of Radioactive Materials

(a) Contractor shall advise the Contracting Officer in writing, or such office as the Contracting Officer may designate, prior to the delivery of any item or completion of any service called for under this contract if such item or any item upon which service is performed contains radioactive material which requires specific licensing under the Atomic Energy Act of 1954, as set forth as of the date of this contract in the Code of Federal Regulations, Title 10, Parts 30, 40 and 70. Such notice shall specify the part or parts of the items which contain radioactive materials, a description of such materials, the name and strength of the isotope, the manufacturer of the radioactive materials, and any other information known to the Contractor which will put users of the items on notice of the hazards involved in their use. (BOB No. 38–R027.3) Such notification shall be made to the Contracting Officer with sufficient lead time in order that the Air Force may complete licensing requirements prior to delivery and at such time that delivery dates will not be affected.

(b) All items, parts, or subassemblies which contain radioactive materials, and all containers in which such items, parts, or subassemblies are delivered to the Government, shall be clearly marked and labeled with a warning notice as may be required by the Atomic Energy Act of 1954 and outlined in Title 10, Part 20 of the Code of Federal Regulations.

9. In § 1007.4055, the introductory paragraph is revised, and in subparagraph (1) following the clause, "POD" should be changed to read "POOD."

§ 1007.4055 Changes in fund allocations.

The following clause will be inserted in (a) Cost type contracts; (b) fixed-

price contracts containing a limitation of Government's obligation clause (§ 1007.4054), and (c) letter contracts, if such contracts contain provisioning documents under which the obligation of funds will be accomplished by POOD's.

10. Sections 1007.4058 and 1007.4059 are added as follows:

§ 1007.4058 Current reimbursement.

The following clause will be inserted in cost type letter contracts when it is desired to currently reimburse the contractor for costs incurred during the term of the letter contract (see § 1003.405–3(d) of this chapter).

CURRENT REIMBURSEMENT

Pending the placing with you of the definitive contract referred to herein, the Government will currently reimburse you for all proper expenditures made by you hereunder at the following rates:

(i) 100 percent of such approved costs representing progress payments to subcontractors under fixed-price type subcontracts, provided, that such payment by the Government to the Contractor shall not exceed 70 percent of the costs incurred by such subcontractors.

(ii) 100 percent of such approved costs representing cost reimbursement to subcontractors under cost reimbursement type subcontracts, provided that for cost reimbursement type subcontracts not covered by the exceptions listed in Paragraph 3–404.3 (d) (2) of the Armed Service Procurement Regulation, as in effect on the date of this contract, such payments by the Government shall not exceed 70 percent of the costs incurred by such subcontractors, and

(iii) * * *[1] percent of all other approved costs. Such reimbursement shall be accomplished upon certification to and approval by the Contracting Officer of vouchers and invoices for materials, tools, labor and other proper costs and charges. For the purpose of determining the amounts payable to the Contractor hereunder, allowable items of cost will be determined by the Contracting Officer in accordance with the statement of cost principles set forth in Part * * *[2] of section XV of the Armed Service Procurement Regulation. In no event shall the total reimbursement made under this paragraph exceed * * *[1] percent of the maximum amount of the Government's liability set forth in Paragraph 5 of this letter contract.

§ 1007.4059 Procurement of liquid oxygen converters.

(a) *Scope.* Prescribes a provision to be inserted in Invitations for Bid or Requests for Proposal where liquid oxygen converters are procured and it is desired to permit the contractor to guarantee the initial evaporation loss requirements rather than conduct the second and third evaporation tests prescribed by Specification MIL–C–25666A(USAF) and MIL–C–009082D(USAF).

(b) *Applicability.* Applies to all liquid oxygen converters procured pursuant to the above mentioned specifications.

(c) *Provisions.* The following provision may be inserted in any Invitation for Bid or Request for Proposal which call for bids or proposals for the purchase of liquid oxygen converters requiring compliance with Specification MIL–C–25666A(USAF) or MIL–C–009082D (USAF) where it is desired to allow the contractor to guarantee the converters for one year against the initial evaporation loss rather than comply with the second and third evaporation tests called for in those specifications.

Guarantee in Lieu of Evaporation Tests

The bidder, in lieu of conducting the second and third evaporation tests called for under Paragraphs 4.5.3.2 and 4.5.3.3. of Specification MIL–C–25666A(USAF) and MIL–C–009082D(USAF), may offer a guarantee that the converters procured hereunder will meet the initial evaporation loss requirements of Paragraph 4.5.3 of said specifications for one year after delivery under this contract. In the event the bidder elects to guarantee the converters furnished hereunder, it shall so indicate in the space following.

We elect to guarantee in accordance with the clause following:

The Contractor guarantees that the liquid oxygen converters furnished under this contract shall fulfill the initial evaporation loss requirements of Specifications (MIL–C–252666A(USAF)—or MIL–C–009082D(USAF)), for one year after delivery of the respective containers under this contract and agrees to replace any converters rejected by the Government for failure to meet said requirement at no additional charge to the Government. Transportation charges resulting from such rejection shall be borne by the Government. In consideration of the foregoing the Contractor shall not be required to conduct the second and third evaporation tests required by Paragraphs 4.5.3.2 and 4.5.3.3 of the above-named specifications.

Subpart PP—Clauses for Contracts Issued by Foreign Procurement Activities

Section 1007.4205–8 is revised to read as follows:

§ 1007.4205–8 Disputes.

Except as provided below, contracts issued by foreign procurement activities and central procurement type contracts issued by AMFEA shall contain the clause set forth in § 7.103–12 of this title. Contracts issued by foreign procurement activities located within the geographical areas of responsibility of the Commander-in-Chief, USAFE, and contracts for base procurement requirements of AMFEA, shall contain the following clause:

Disputes

a. Except as otherwise provided in this contract, any dispute concerning a question of fact arising under this contract which is not disposed of by agreement shall be decided by the Contracting Officer, who shall reduce his decision to writing and mail or otherwise furnish a copy thereof to the Contractor. The decision of the Contracting Officer shall be final and conclusive unless, within 30 days from the date of receipt of such copy, the Contractor mails or otherwise furnishes to the Contracting Officer a written appeal addressed to the person indicated in either (b) or (c) below.

b. When the total amount claimed by the Contractor, or asserted as due the Government is $25,000.00 or less, the written appeal shall be addressed to the Commander-in-Chief, USAFE, and the decision of the said Commander-in-Chief, or that of his duly authorized representative (other than the Contracting Officer named in this contract) for the determination of such appeals, shall, be final and conclusive to the extent permitted by United States law.

c. When the total amount claimed by the Contractor or asserted as due the Government is more than $25,000.00, the written appeal shall be addressed to the Secretary of the Air Force, and the decision of the Secretary, or that of his duly authorized representative for the determination of such appeals, shall be final and conclusive to the extent permitted by United States law.

d. In connection with any appeal proceeding under this clause, the Contractor shall be afforded an opportunity to be heard and to offer evidence in support of its appeal. Pending final decision of a dispute hereunder, the Contractor shall proceed diligently with the performance of the contract and in accordance with the Contracting Officer's decision.

e. This "Dispute" clause does not preclude consideration of law questions in connection with decisions provided for in paragraph (a), (b) and (c) above; provided, that nothing in this contract shall be construed as making final the decision of any administrative official, representative, or board on a question of law.

Subpart SS—Clauses for Fixed-Price Type Maintenance, Overhaul and Modification Contracts

In § 1007.4503–3, paragraph (c) of the clause is revised as follows:

§ 1007.4503–3 Inspection and quality control.

* * * * *

INSPECTION AND QUALITY CONTROL

* * * * *

(c) Except as otherwise provided in this contract, the contractor's system of quality control during the performance of this contract shall be in accordance with the provisions of Military Specification MIL–Q–9858 and U.S. Air Force Specification Bulletin No. 515, Control of Nonconforming Supplies, as in effect on the date of this contract, incorporated herein by reference, unless this contract is one of the types specified in paragraph 1.2 of Specification MIL–Q–9858.

NOTE: The following change may be made to the clause at the option of the Contracting Officer, that: the issue in effect at the date of the contract may be more specifically identified in the schedule of the contract (Ref: par. 4.2 of MIL–Q–9858).

Subpart XX—Clauses for Food Service Contracts

Section 1007.5003–15 is revised to read as follows:

§ 1007.5003–15 Default.

Insert the clause set forth in § 8.707 of this title.

(Secs. 8012, 70A Stat. 488; 10 U.S.C. 8012. Interpret or apply secs. 2301–2314, 70A Stat. 127–133; 10 U.S.C. 2301–2314)

[SEAL] CHARLES M. MCDERMOTT,
Colonel, U.S. Air Force, Deputy Director for Administrative Services.

[F.R. Doc. 60–4439; Filed, May 17, 1960; 8:45 a.m.]

[1] Insert a percentage no greater than 70 percent, or in case of small business concerns 75 percent.

[2] Insert appropriate part of Part 15 of this title.

Proposed Rule Making

FEDERAL AVIATION AGENCY

[14 CFR Part 601]

[Airspace Docket No. 60-WA-127]

CONTROL AREAS

Modification of Extension

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 601.1321 of the regulations of the Administrator, the substance of which is stated below.

The Federal Aviation Agency is considering enlarging the Brunswick, Ga., control area extension. The present Brunswick control area extension includes the airspace bounded on the north by lat. 31°30'00" N., on the east by VOR Federal airway No. 3, and on the southwest by VOR Federal airways No. 5 and 51. It is proposed to add controlled airspace north of the present area bounded on the east by the Savannah, Ga., control area extension (§ 601.1008), the Camp Stewart, Ga., Restricted Area (R-159) and VOR Federal airway No. 3, on the north by VOR Federal airway No. 154, on the northwest by VOR Federal airway No. 157, on the southwest by VOR Federal airway No. 5. This would provide protection for aircraft departing Hunter Air Force Base using departure procedures based on the Savannah VOR 221° and the 269° True radials. These departure routes would permit the aircraft to climb off airways and reach assigned altitudes before entering the airway system.

If this action is taken, the Brunswick, Ga., control area extension would be redesignated to include that airspace bounded on the north by VOR Federal airway No. 154, on the east by the Savannah, Ga., control area extension (§ 601.1008) and VOR Federal airway No. 3, on the southwest by VOR Federal airway No. 5 and on the northwest by VOR Federal airway No. 157, excluding the portion of the control area extension which coincides with the Camp Stewart, Ga., Restricted Area (R-159).

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Field Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Field Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on May 11, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-4454; Filed, May 17, 1960; 8:46 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 51]

CANNED VEGETABLES; DEFINITIONS AND STANDARDS OF IDENTITY; QUALITY; AND FILL OF CONTAINER

Canned Sweetpotatoes; Definition and Standard of Identity

Notice is given that Corn Industries Research Foundation, Inc., 1001 Connecticut Avenue NW., Washington, D.C., on its own behalf and on behalf of its members, has filed a petition which proposes that the definition and standard of identity for canned vegetables other than those specifically regulated (21 CFR 51.990), which lists sugar and dextrose as permitted optional seasoning ingredients without designating them for label declaration, be amended so as to provide that corn sirup, dried corn sirup, glucose sirup, and dried glucose sirup may be used to season canned sweetpotatoes, in forms other than mashed. The petition makes no proposal for label declaration. It is proposed that § 51.990(c) be amended by adding a new subparagraph (9), worded as follows:

§ 51.990 Canned vegetables other than those specifically regulated; identity; label statement of optional ingredients.

* * * * *

(c) * * *

(9) In the case of canned sweetpotatoes, in forms other than mashed, corn sirup, corn sirup solids, glucose sirup, and glucose sirup solids may be added in a quantity sufficient to season the food.

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and in accordance with the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (22 F.R. 1045, 23 F.R. 9500), all interested persons are invited to present their views in writing regarding the proposal published in this notice. Views and comments should be submitted in quintuplicate, addressed to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., prior to the thirtieth day following the date of publication of this notice in the FEDERAL REGISTER.

Dated: May 12, 1960.

[SEAL] J. K. KIRK,
Assistant to the Commissioner of Food and Drugs.

[F.R. Doc. 60-4491; Filed, May 17, 1960; 8:49 a.m.]

[21 CFR Part 120]

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Notice of Filing of Petition for Establishment of Tolerance for Residues of Methyl Bromide

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a (d)(1)), notice is given that a petition has been filed by Dow Chemical Company, Midland, Michigan, proposing the establishment of a tolerance of 200 parts per million for residues of methyl bromide (as inorganic bromide) in or on popcorn.

The analytical method proposed in the petition for determining residues of methyl bromide as inorganic bromide is an X-ray fluorescence method. Determinations are made directly on samples of the grain. A calibration curve is prepared using grain samples of known bromide content.

Dated: May 12, 1960.

[SEAL] ROBERT S. ROE,
Director, Bureau of Biological and Physical Sciences.

[F.R. Doc. 60-4492; Filed, May 17, 1960; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 18]

[Docket No. 13511; FCC 60-543]

INDUSTRIAL, SCIENTIFIC, AND MEDICAL SERVICE

Heating Equipment

Notice is hereby given of proposed rule making in Part 18 of the rules of the Federal Communications Commission to require the use of an FCC form for certification of ISM equipment, to revise the equipment certification procedure for industrial heating equipment, to clarify the procedure to be followed by an operator of industrial heating equipment who has been found to be causing harmful interference to authorized radio services, and to make other changes.

In enforcing the present Part 18 regulations against persons causing harmful interference to authorized radio communications by the operation of industrial heating equipment, the Commission has found that many certificates prepared pursuant to § 18.103 of our rules are not sufficiently complete to show conclusively that the equipment does comply with our radiation limits. The certificates often do not show with clarity who made the requisite radiation measurements; and some indicate a considerable lack of understanding of our regulations. Furthermore, the great variety of forms taken by the present certificates imposes the burdensome task on our field engineers of examining each certificate individually to determine its validity and completeness. Finally, the present rules do not require that the certificate indicate that the owner or lessee of the industrial heating equipment has been made aware of his responsibility to eliminate harmful interference if it should be later determined that such interference is being caused by the operation of his equipment.

Accordingly, in order to strengthen the certification procedure, to facilitate the enforcement of our Part 18 and to clarify the responsibility to eliminate harmful interference, the Commission proposes to provide a standard form[1] for the certification of ISM equipment. Part I of the certificate will be executed by the owner or lessee of the equipment, and will deal with his responsibility to install the equipment properly, to have radiation measurements made, to insure that radiation does not exceed the limits permitted and to eliminate harmful interference that may be caused. Part II of the certificate will be executed by the engineer responsible for making the radiation measurements.

The proposed rules will also clarify the requirements with respect to the measurement and reporting of the radiation. In addition, the rules will set up a specific procedure for handling interference complaints.

This proposal to amend the Commission's rules is issued under the Authority of sections 4(i), 301, and 303(r) of the Communications Act of 1934, as amended.

Any interested person who is of the opinion that the proposed amendment should not be adopted in the form set forth herein, may file with the Commission on or before June 15, 1960, written data, views, or arguments setting forth his comments. Comments in support of these proposals may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed within 10 days from the last day for filing said original comments or briefs. No additional comments may be filed unless specifically requested by the Commission or good cause for the filing of such comments is established.

In accordance with the provisions of § 1.54 of the Commission's rules, an original and 14 copies of all statements, briefs, or comments, filed shall be furnished the Federal Communications Commission.

Adopted: May 11, 1960.

Released: May 13, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

It is proposed to revise Part 18 as follows:

1. Delete the present text of § 18.103 and substitute the following new text:

§ 18.103 Certificate required.

(a) All industrial heating equipment either first placed in operation or certificated after _____[1] shall be certificated on Form _____.

(b) Industrial heating equipment for which the certificate is required to be renewed pursuant to § 18.106 shall be certificated on Form _____.

(c) The original signed certificate prepared pursuant to paragraph (a) or (b) of this section shall be filed with the Engineer in Charge of the Radio District in which the equipment is located.

(d) A true and correct signed copy of the certificate prepared pursuant to paragraph (a) or (b) of this section shall be retained by the operator of the equipment and shall be located as set out in § 18.104.

§ 18.107 [Amendment]

2. Add the following new paragraph (f) to § 18.107:

(f) The spectrum shall be investigated from the lowest frequency generated in the equipment up to the tenth harmonic of the fundamental frequency or to 5775 Mc. whichever is lower. The range of frequencies shall be scanned and all measurable signals from the device shall be reported. An entry in the report of measurements shall be made for the fundamental and each harmonic in the required range. If below the ambient noise level, the entry shall so state and the ambient noise level shall be reported.

3. Add the following new sections:

§ 18.109 Report of radiation measurements.

The report of radiation measurements shall contain the following information:

(a) A description of the measuring equipment used, including the serial numbers.

(b) A statement of the date when the measuring equipment was last calibrated.

(c) The date the measurements were made.

(d) The frequency range that was investigated.

(e) A list of all frequencies at which measurements were made and the magnitude of the field that was measured.

(f) A plot of field strength vs. frequency showing the level of all measurable signals within the frequency range required to be investigated. (See § 18.107.) This plot shall show the ambient noise level. Signals below the noise level need not be reported.

(g) A plot of the polar radiation pattern as required by § 18.107(b).

(h) A plot of field strength vs. distance along the radial of maximum radiation in the polar plot as required by § 18.107(c).

§ 18.110 Certification regarding operation.

(a) The certification required in Part I of Form _____ shall be executed by the owner or lessee of the equipment, in the case of a proprietorship; by one of the partners, in the case of a partnership; or by an officer of the corporation, in the case of a corporation.

(b) If the radiation measurements of the industrial heating equipment were made at a location other than the site of operation, the certificant shall attach installation instructions which will ensure that the equipment complies with radiation limitations and shall certify that the equipment has been installed in exact accordance with the attached instructions.

§ 18.111 Certification regarding radiation.

(a) The certificate required in Part II of Form _____ shall be executed by an engineer skilled in making and interpreting field strength measurements. The Commission may require such engineer to provide proof of his qualifications.

(b) The certificate may be issued on the basis of field strength measurements made at the site of operation or on the basis of field strength measurements made on a prototype.

(c) If the field strength measurements were made at a location other than the site of operation, the certificant shall certify as to the adequacy of the detailed installation instructions which insure that the equipment will comply with the radiation limitations set forth in § 18.102.

§ 18.112 Procedure to be followed in the event of harmful interference.

(a) The operator of industrial heating equipment that causes harmful interference to radio communications, shall take prompt steps to eliminate the harm-

[1] Filed as part of original document.

[1] The exact date will be inserted when these rules are finalized and will be approximately 60 days after the date of the final order.

ful interference (See § 18.8) and shall make an adequate investigation in the vicinity of the industrial heating equipment to ensure that all harmful interference has been eliminated.

(b) If the operator is notified by the Commission that the harmful interference is endangering the functioning of a radio-navigation service or of a safety service, he shall immediately cease operating the equipment. Operation on a temporary basis may be resumed with the permission of the Commission's Engineer in Charge but only under the supervision of a qualified engineer for the purpose of eliminating the harmful interference and obtaining certification. Regular operation may be resumed with the permission of the Commission's Engineer in Charge, after the harmful interference has been eliminated, the equipment has been properly certificated and the final interference report required by § 18.113 has been submitted.

(c) If the operator is notified by the Commission that the harmful interference is obstructing or repeatedly interrupting an authorized radio service, he shall cease operation if so ordered by the Commission's Engineer in Charge. The operator may resume operation under the conditions specified by the Commission's Engineer in Charge and subject to the provisions of §§ 18.112(a), 18.113 and 18.114.

§ 18.113 Report of interference investigation.

(a) An interim report of the investigation and of the corrective measures that were taken shall be filed with the Engineer in Charge of the local FCC office within 30 days of notification of harmful interference. The final report shall be filed with the Engineer in Charge within 60 days of notification.

(b) The date for filing the final report may be extended for 30 days by the Engineer in Charge when the operator has shown that he has been diligent in his efforts and that additional time is required to put into effect the corrective measures or to complete the investigation. The request for extension of time shall be accompanied by a progress report showing what has been accomplished to date. Additional extensions of 30 days each may be granted at the discretion of the Engineer in Charge on a similar showing of diligence, need for additional time and progress report.

(c) The final report of the interference investigation shall list the location of each receiver that was checked and the name(s) of the receiver owner(s), shall describe the steps taken to eliminate the harmful interference and shall specify the date and time the receiver(s) was rechecked to ensure that the harmful interference has been eliminated.

(d) The interference investigation shall be made by an engineer skilled in interference reduction techniques. The Commission may require such engineer to furnish proof of his qualifications.

§ 18.114 Rejection of certificate.

The Commission may reject a certificate which does not meet the requirements of Subpart F of this part.

[F.R. Doc. 60-4504; Filed, May 17, 1960; 8:51 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Bureau of the Comptroller of the Currency

[Delegation Order 4]

FIRST DEPUTY COMPTROLLER OF THE CURRENCY ET AL.

Order of Succession To Act as Comptroller

By virtue of the authority vested in me by Treasury Department Order No. 129 (Revision No. 2), dated April 22, 1955, it is hereby ordered as follows:

1. The following officers in the Bureau of the Comptroller of the Currency, in the order of succession enumerated, shall act as comptroller of the Currency during the absence or disability of the Comptroller of the Currency, or when there is a vacancy in such office:

(1) Hollis S. Haggard, First Deputy Comptroller of the Currency.
(2) William M. Taylor, Deputy Comptroller of the Currency.
(3) Griffith W. Garwood, Deputy Comptroller of the Currency.
(4) Chapman C. Fleming, Deputy Comptroller of the Currency.
(5) Chief National Bank Examiner.
(6) District Chief National Bank Examiner at New York, N.Y.
(7) District Chief National Bank Examiner at San Francisco, Calif.
(8) District Chief National Bank Examiner at Chicago, Ill.
(9) District Chief National Bank Examiner at Cleveland, Ohio.
(10) District Chief National Bank Examiner at Dallas, Texas.
(11) District Chief National Bank Examiner at Atlanta, Ga.
(12) District Chief National Bank Examiner at Kansas City, Mo.
(13) District Chief National Bank Examiner at Philadelphia, Pa.
(14) District Chief National Bank Examiner at Boston, Mass.
(15) District Chief National Bank Examiner at Richmond, Va.
(16) District Chief National Bank Examiner at St. Louis, Mo.
(17) District Chief National Bank Examiner at Minneapolis, Minn.

2. In the event of an enemy attack on the continental United States, all District Chief National Bank Examiners, including any Acting District Chief National Bank Examiners, are authorized in their respective districts to perform any function of the Comptroller of the Currency, or the Secretary of the Treasury, whether or not otherwise delegated, which is essential to the carrying out of responsibilities otherwise assigned to them. The respective officers will be notified when they are to cease exercising the authority delegated in this paragraph.

3. Delegation Order 3 is hereby repealed.

Dated: May 13, 1960.

[SEAL] RAY M. GIDNEY,
Comptroller of the Currency.

[F.R. Doc. 60-4493; Filed, May 17, 1960; 8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[Bureau Order 551, Amdt. 60]

REDELEGATION OF AUTHORITY

Loan Agreements

Paragraphs (b) and (d) of section 120 of Order 551, as amended, are amended to read as follows:

SEC. 120. *Loan agreements.* * * *

(b) $15,000 in the case of loans by the United States to cooperative associations and, except on loans to Federal employees and loans for educational purposes, to individual Indians.

* * * * *

(d) $20,000 in the case of loans by corporations, tribes, and bands to cooperative associations and individual Indians, and loans by credit associations to individual Indians, or such lesser amount as may be agreed to by the lender and the Commissioner, except loans to Federal employees and loans for educational purposes.

GLENN L. EMMONS,
Commissioner.

MAY 12, 1960.

[F.R. Doc. 60-4462; Filed, May 17, 1960; 8:47 a.m.]

Bureau of Land Management

ARIZONA

Notice of Filing of Protraction Diagrams

1. Notice is hereby given that, effective with this publication, the following protraction diagrams are officially filed of record in the Arizona Land Office, 1305 North Central Avenue, Phoenix, Arizona.

2. In accordance with 43 CFR 192.42 a(c) (24 F.R. 4140, May 22, 1959) and amendments of Parts 188, 193, 195, 196, 198, 199 and 200 of Title 43, Code of Federal Regulations, as published in 25 F.R. 2797 (April 2, 1960) (Circular 2040), these protractions will become the basic record for the description of applications and offers for mineral leases and permits filed at and subsequent to 10:00 a.m. on the thirty-first day after publication of this notice.

ARIZONA PROTRACTION DIAGRAMS NOS. 1 TO 30, INCLUSIVE

GILA AND SALT RIVER MERIDIAN

Unsurveyed sections in:

No. 1

Ts. 34 and 35 N., R. 15 W.,
T. 36 N., Rs. 14 and 15 W.,
Ts. 37 and 38 N., Rs. 13, 15 and 16 W.,
T. 39 N., Rs. 14 and 15 W.,
T. 40 N., Rs. 13, 14 and 15 W.

No. 2

T. 34 N., R. 11 W.,
T. 35 N., R. 12 W.,
T. 38 N., R. 11 W.,
T. 40 N., Rs. 11 and 12 W.,
T. 41 N., Rs. 10 and 11 W.,
T. 42 N., Rs. 10 and 11 W.

No. 3

T. 34 N., Rs. 5 and 6 W.,
Ts. 35, 36 and 37 N., R. 5 W.,
Ts. 36, 37, 38 and 39 N., R. 7 W.,
T. 37 N., R. 6 W.

No. 4

T. 35 N., Rs. 1, 2, 3 and 4 W.,
Ts. 36 and 37 N., Rs. 2, 3 and 4 W.,
T. 38 N., Rs. 2 and 4 W.,
T. 39 N., R. 2 W.,
T. 40 N., Rs. 1, 2, 3 and 5 W.,
T. 41 N., Rs. 3, 4 and 5 W.,
T. 42 N., Rs. 1, 3, 4, 5 and 6 W.

No. 5

Ts. 27, 28 and 29 N., Rs. 21, 22 and 23 W.,
Ts. 30, 31 and 32 N., Rs. 21 and 22 W.

No. 6

T. 28 N., R. 20 W.,
T. 29 N., Rs. 18, 19 and 20 W.,
T. 30 N., Rs. 17, 18, 19 and 20 W.,
T. 31 N., Rs. 19 and 20 W.,
T. 32 N., Rs. 17, 19 and 20 W.

No. 7

Ts. 28 and 29 N., Rs. 13 and 14 W.,
Ts. 30 and 31 N., Rs. 13, 14, 15 and 16 W.,
T. 30½ N., Rs. 13 and 14 W.,
Ts. 32 and 32½ N., Rs. 15 and 16 W.,
T. 33 N., R. 15 W.

No. 8

Ts. 27, 28 and 29 N., Rs. 9, 10, 11 and 12 W.,
T. 30 N., Rs. 9, 10 and 12 W.,
T. 31 N., Rs. 9 and 10 W.

Nos. 9 and 9A

T. 31 N., Rs. 2, 3 and 8 W.,
Ts. 32, 33 and 34 N., Rs. 1, 2, 3 and 4 W.,
T. 32 N., Rs. 5, 6, 7 and 8 W.,
T. 33 N., Rs. 5, 6 and 7 W.

No. 10

T. 25 N., R. 22 W.,
T. 26 N., Rs. 21 and 22 W.

Also shows position of flow line of Lake Mohave invading lands in T. 21 N., Rs. 21 and 22 W. and Ts. 22, 23, 24 and 25 N., R. 22 W.

No. 11

Ts. 18 and 19 N., R. 22 W.

Also shows flow line of left bank of Colorado River through Havasu and Powell Lakes invading lands from T. 14 N., R. 20 W. to T. 18 N., R. 22 W.

Nos. 12 and 12A

T. 17 N., R. 8 W.,
T. 18 N., R. 2 W.

Nos. 13 and 13A

Ts. 7, 8, 9 and 10 N., R. 16 W.,
T. 8 N., R. 17 W.,
T. 9 N., Rs. 17 and 18 W.

Also shows flow line of left bank of Colorado River through Havasu Lake invading lands in Ts. 11 and 12 N., R. 18 W.; Ts. 12 and 13 N., R. 19 W. and T. 13 N., R. 20 W.

Nos. 14 and 14A

Ts. 12, 13, 14, 16½ and 17 N., R. 11 W.,
Ts. 12 and 13 N., R. 12 W.,
T. 12 N., R. 13 W.,
Ts. 14 and 15 N., R. 5 W.

No. 15

Ts. 5 and 6 N., R. 14 W.,
Ts. 6, 7 and 9 N., R. 13 W.,
Ts. 7 and 8 N., R. 12 W.,
Ts. 8, 9, 10 and 11 N., Rs. 14 and 15 W.

No. 16

Ts. 9, 10, 11 and 11½ N., R. 1 E.,
Ts. 10, 11, 12 and 12½ N., R. 1 W.,
Ts. 12 and 12½ N., R. 2 W.

No. 17

T. 1 S., Rs. 22 and 23 W.,
T. 2 S., Rs. 20, 21, 22 and 23 W.,
T. 3 S., Rs. 20, 21 and 22 W.,
T. 1 N., R. 22 W.,
T. 2 N., R. 21 W.,
Ts. 3 and 4 N., R. 20 W.

No. 18

T. 1 S., Rs. 16, 17 and 18 W.,
T. 2 S., Rs. 16, 18 and 19 W.,
Ts. 1, 2 and 3 N., Rs. 16 and 17 W.,
Ts. 4 and 5 N., R. 17 W.

No. 19

T. 1 S., Rs. 12, 13, 14 and 15 W.,
T. 2 S., Rs. 13, 14 and 15 W.,
T. 3 S., Rs. 12, 13, 14 and 15 W.,
Ts. 1 and 2 N., Rs. 12 and 13 W.,
Ts. 3 and 4 N., R. 13 W.

No. 20

T. 2 S., Rs. 8, 9 and 10 W.,
T. 1 N., Rs. 8, 10 and 11 W.,
T. 3 N., R. 8 W.,
T. 5 N., R. 9 W.

No. 21

T. 4 S., Rs. 20, 21 and 23 W.,
T. 5 S., R. 20 W.,
Ts. 6 and 7 S., Rs. 20, 21 and 22 W.,
T. 8 S., Rs. 20 and 21 W.

No. 22

Ts. 4, 5 and 6 S., R. 17 W.,
Ts. 3, 4, 5, 6, 7 and 8 S., Rs. 18 and 19 W.

No. 23

T. 2 S., R. 6 W.,
T. 3 S., Rs. 5, 6, 7, 8, and 9 W.,
T. 4 S., Rs. 5, 6, 7 and 9 W.,
T. 5 S., Rs. 7 and 8 W.,
T. 6 S., R. 8 W.

Nos. 24, 24A, 24B and 24C

T. 3 N., R. 3 W.,
T. 1 S., R. 1 W.,
T. 4 S., R. 2 W.,
Ts. 5 and 6 S., Rs. 1 and 2 W.,
Ts. 8 and 9 S., Rs. 8 and 9 W.

No. 25

T. 10 S., Rs. 19 and 20 W.,
Ts. 11 and 12 S., Rs. 17, 18, 19 and 20 W.,
T. 13 S., Rs. 17, 18 and 19 W.,
T. 14 S., R. 17 W.

No. 26

Ts. 11, 12, 13 and 14 S., Rs. 13, 14, 15 and 16 W.,
T. 15 S., Rs. 13 and 14 W.

No. 27

T. 10 S., Rs. 9 and 10 W.,
Ts. 11 to 15 S., Rs. 9 to 12 W.,
T. 16 S., Rs. 9, 10 and 11 W.,
T. 17 S., R. 9 W.

No. 28

Ts. 11, 12 and 13 S., Rs. 7 and 8 W.,
T. 14 S., R. 8 W.,
Ts. 15, 16 and 17 S., Rs. 5, 6, 7 and 8 W.

No. 29

T. 10 S., Rs. 1, 2 and 3 W.,
Ts. 11 to 14 S., Rs. 1, 2 and 3 W.,
Ts. 11, 12 and 13 S., R. 4 W.

No. 30

Ts. 15, 16 and 17 S., Rs. 1, 2, 3 and 4 W.,
T. 18 S., Rs. 1 and 4 W.,
T. 19 S., R. 1 W.

3. Copies of these diagrams are for sale at One Dollar ($1.00) per sheet by the Arizona State Office, Bureau of Land Management, P.O. Box 148, Phoenix, Ariz.

Dated: May 11, 1960.

E. I. ROWLAND,
State Supervisor.

[F.R. Doc. 60-4490; Filed, May 17, 1960; 8:49 a.m.]

[78831]

NEVADA

Order Segregating Lands in Fort Mohave Valley From All Forms of Entry Under the Public Land Laws

MAY 11, 1960.

By virtue of the authority and direction contained in section 2 of the act of April 22, 1960 (74 Stat. 74) and pursuant to § 2.75 of Departmental Order No. 2583 of August 16, 1950, I hereby segregate the following-described lands from all forms of entry under the public land laws of the United States:

MOUNT DIABLO MERIDIAN

T. 33 S., R. 65 E.,
Secs. 1, 12, 13, 24, and 25.
T. 33 S., R. 66 E.,
Secs. 4, 5, 6, 7, 8, 9, 10, and 15;
Sec. 16, E½, E½NW¼, and SW¼;
Sec. 17, W½NE¼, W½, and SE¼;
Secs. 18, 19, 20, 21, and 30.
T. 32 S., R. 66 E.,
Sec. 20, E½;
Secs. 21, 22, 23, 24, 26, 27, and 28;
Sec. 29, E½;
Sec. 31, SE¼;
Secs. 32, 34, and 35.

The areas described contain approximately 15,000 acres.

The segregative effect of this order will terminate April 23, 1965: *Provided, however,* That in the event the Colorado River Commission of the State of Nevada, pursuant to the said act of April 22, 1960, shall file with the Manager of the Land Office of the Bureau of Land Management at Reno, Nevada, on or before April 23, 1965, an application for the conveyance to it of title to the lands within the above-described area, the period of segregation provided by this order shall be extended until such time as the application is finally disposed of by the Secretary of the Interior or his delegate.

EDWARD WOOZLEY,
Director.

[F.R. Doc. 60-4463; Filed, May 17, 1960; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

MISSOURI

Designation of Area for Production Emergency Loans

For the purpose of making production emergency loans pursuant to section 2(a) of Public Law 38, 81st Congress (12 U.S.C. 1148a-2(a)), as amended, it has been determined that in the following counties in the State of Missouri a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

MISSOURI

Chariton.	Clark.

Pursuant to the authority set forth above, production emergency loans will not be made in the above-named counties after December 31, 1960, except to applicants who previously received such assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 12th day of May 1960.

TRUE D. MORSE,
Acting Secretary.

[F.R. Doc. 60-4480; Filed, May 17, 1960; 8:48 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 11392; Order No. E-15225]

CAPITAL AIRLINES, INC.

Visit U.S.A. 1960 Excursion Fares; Order of Investigation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 13th day of May 1960.

Capital Airlines, Inc., has filed to become effective May 14, 1960, round trip excursion fares between New York/Newark and various points on its system.[1] The fares are proposed at the general level of its tour-basing fares, which are now pending investigation.[2] The presently proposed fares are subject to the condition that they apply only to transportation which is part of an air transportation journey originating and terminating at points outside the United States or Canada. Under the proposed tariff, the new fares will apply during the period July 7, 1960 through September 1, 1960, except during peak traffic hours on Fridays and Sundays, and the carrier

[1] Capital Airline, Inc. C.A.B. 43, "Visit U.S.A. 1960" excursion fares tariff.

[2] In the matter of tour basing fares proposed by Capital Airline, Inc., Docket 11247, instituted by Order E-15050 of March 29, 1960. Thus, the proposed first-class fares are 150 percent of the carrier's regular one-way first-class fares, or a reduction of 25 percent from the regular round trip fare, and the proposed coach fares vary inversely with the distance from 5.4 cents per mile to 3.6 cents per mile.

intends to permit stopovers without additional charge.

A complaint was filed by American Airlines, Inc., in Docket 11306, by Eastern Air Lines, Inc., in Docket 11338, and by Northwest Airlines, Inc., in Docket 11342 against the new fares. Capital filed an answer to American's complaint on April 29, 1960. The complaints vigorously question the lawfulness of the new excursion fares and request the Board to investigate and suspend the new tariff. The complaints allege that Capital's proposed fares are inconsistent with that carrier's petition for subsidy and its position in the General Passenger Fare Investigation, that it has made no showing the proposed fares will reduce its losses or increase its revenues, and that the fares are unjustly discriminatory, and unduly preferential and prejudicial, within the meaning of the Federal Aviation Act of 1958.

The complaints state reasonable grounds for investigating the complained of fares. We, therefore, institute investigation of those fares herein. To facilitate this investigation we will expect Capital to keep adequate records of traffic, revenues, and costs associated with the fares here in issue.

We have decided, however, not to suspend the effectiveness of Capital's tariff pending the investigation.

Suspension of tariffs under section 1002(g) of the Act lies substantially within our discretion. We are particularly cognizant of Capital's financial situation. We officially notice that carrier's petition for subsidy filed March 25, 1960, that a hearing has been ordered on this petition, and that an over-all investigation into Capital's operations and current financial situation has been ordered. For the purposes of this order, the proposed fares do not appear prima facie unreasonably low. Thus, we have concluded not to suspend the proposed tariff, since we believe the carrier should have the opportunity to experiment with these promotional fares for the limited period of the tariff.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a), 403, 404, and 1002 thereof,

It is ordered:

1. An investigation is instituted to determine whether the fares, rules, regulations, and other provisions of the Capital Airlines, Inc. tariff, C.A.B. 43, are or will be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful fares, rules, regulations, and other provisions.

2. The complaints in Dockets 11306 11338, and 11342 are consolidated with the proceeding ordered herein, and to the extent not granted herein are dismissed.

3. The proceeding ordered herein be assigned for hearing before an examiner of the Board at a time and place hereafter to be designated.

4. A copy of this order be served upon American Airlines, Inc., Capital Airlines, Inc., Eastern Air Lines, Inc., and Northwest Airlines, Inc., which are made parties to this proceeding.

This order will be published in the FEDERAL REGISTER.[3]

By the Civil Aeronautics Board.

[SEAL] MABEL MCCART,
Acting Secretary.

[F.R. Doc. 60-4495; Filed, May 17, 1960; 8:50 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

LEONARD J. DOYLE

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the last six months.

A. Deletions: Air Reduction, United Aircraft, Sinclair Oil.

B. Additions: Bethlehem Steel, International Harvester.

This statement is made as of April 30, 1960.

LEONARD J. DOYLE.

MAY 7, 1960.

[F.R. Doc. 60-4484; Filed, May 17, 1960; 8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 13461; FCC 60M-833]

J. P. BEACOM ET AL.

Order Continuing Hearing

In re application of J. P. Beacom (Transferor) and Thomas P. Johnson and George W. Eby (Transferee), Docket No. 13461, File No. BTC-3360; for consent to the relinquishment of positive control of WJPB-TV, Inc., permittee of Station WJPB-TV, Weston, Virginia.

As requested by counsel for the applicants at the prehearing conference today, and without objection by counsel for the other parties, *It is ordered,* This 12th day of May 1960, that the hearing now scheduled for May 20 is continued to Wednesday, June 15, 1960, at 10 a.m., in the offices of the Commission, Washington, D.C.

Released: May 13, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-4496; Filed, May 17, 1960; 8:50 a.m.]

[3] Vice Chairman Gurney's concurring and dissenting statement filed as part of the original document.

[Docket No. 13491 etc.; FCC 60M-820]

BOOTH BROADCASTING CO. (WIOU) ET AL.

Order Scheduling Hearing

In re applications of Booth Broadcasting Company (WIOU), Kokomo, Indiana, Docket No. 13491, File No. BP-12036; Clinton Broadcasting Corporation (KROS), Clinton, Iowa, Docket No. 13492, File No. BP-12665; Truth Radio Corporation (WTRC), Elkhart, Indiana, Docket No. 13493, File No. BP-12842; Illinois Broadcasting Company (WSOY), Decatur, Illinois, Docket No. 13494, File No. BP-12916; WJOL, Inc. (WJOL), Joliet, Illinois, Docket No. 13495, File No. BP-13054; Tri-City Radio Corporation (WLBC), Muncie, Indiana, Docket No. 13496, File No. BP-13102; Radio Milwaukee, Inc. (WRIT), Milwaukee, Wisconsin, Docket No. 13497, File No. BP-13158; Stevens-Wismer Broadcasting, Inc. (WLAV), Grand Rapids, Michigan, Docket No. 13498, File No. BMP-8430; for construction permits.

It is ordered, This 11th day of May 1960, that David I. Kraushaar will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on July 20, 1960, in Washington, D.C.

Released: May 12, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN. F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-4497; Filed, May 17, 1960; 8:50 a.m.]

[Docket No. 13501; FCC 60M-827]

CONCORD KANNAPOLIS BROADCASTING CO.

Order Scheduling Hearing

In re application of Concord Kannapolis Broadcasting Company, Concord, North Carolina, Docket No. 13501, File No. BPH-2826; for construction permit (FM).

It is ordered, This 11th day of May 1960, that James D. Cunningham will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on July 11, 1960, in Washington, D.C.

Released: May 12, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-4498; Filed, May 17, 1960; 8:50 a.m.]

[Docket No. 13490; FCC 60M-826]

IONIA BROADCASTING CO. (WION)

Order Scheduling Hearing

In re application of Monroe MacPherson, tr/as Ionia Broadcasting Company (WION), Ionia, Michigan, Docket No. 13490, File No. BP-12445; for construction permit.

It is ordered, This 11th day of May 1960, that Jay A. Kyle will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on July 7, 1960, in Washington, D.C.

Released: May 12, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-4499; Filed, May 17, 1960; 8:50 a.m.]

[Docket Nos. 13509, 13510; FCC 60-536]

M-L RADIO, INC. (KMLW) AND TAFT BROADCASTING CO.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of M-L Radio, Inc. (KMLW) Marlin, Texas, Docket No. 13509, File No. BP-12159; has: 1010 kc, 250 w, Day, requests: 1010 kc, 10 kw, DA-Day; Paul E. Taft, d/b as Taft Broadcasting Company, Houston, Texas, Docket No. 13510, File No. BP-12868; Requests: 1010 kc, 1 kw, DA-Day, for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 11th day of May 1960;

The Commission having under consideration the above-captioned and described applications;

It appearing that except as indicated by the issues specified below, the instant applicants are legally, technically, financially, and otherwise qualified to construct and operate their instant proposals; and

It further appearing that pursuant to section 309(b) of the Communications Act of 1934, as amended, the Commission, in a letter dated November 17, 1959, and incorporated herein by reference, notified the instant applicants, and any other known parties in interest, of the grounds and reasons for the Commission's inability to make a finding that a grant of either of the applications would serve the public interest, convenience, and necessity; and that a copy of the aforementioned letter is available for public inspection at the Commission's offices; and

It further appearing, that the instant applicants filed timely replies to the aforementioned letter, which replies have not, however, entirely eliminated the grounds and reasons precluding a grant of the said applications and requiring an evidentiary hearing on the particular issues as hereinafter specified; and in which the applicants stated that they would appear at a hearing on the instant applications; and

It further appearing that in a petition filed on November 18, 1958, American Broadcasting-Paramount Theatres, Inc., licensee of Station WABC, New York, New York (770 kc, 50 kw, U), requested that the instant KMLW application be designated for hearing and that WABC be made a party thereto on the ground that a grant of the application would prejudice a return of Station KCTA (formerly KATR), Corpus Christi, Texas (1030 kc, 50 kw, L-SR Boston, SS Corpus Christi), from 1030 kilocycles to 1010 kilocycles, which in turn would prejudice a return of Station KOB, Albuquerque, New Mexico, from 770 kilocycles to 1030 kilocycles as requested by WABC; that, in a letter dated November 17, 1959, the Commission advised WABC that its petition was moot in view of the actions on September 3, 1958, and September 2, 1959, authorizing KOB to operate on 770 kilocycles; that, in a letter dated December 4, 1959, WABC contends its petition is not moot because it now has pending before the United States Court of Appeals for the District of Columbia Circuit four appeals from the Commission's decisions with respect to the KOB matter; but that in its said appeals WABC has not alleged error on the part of the Commission in assigning KOB to 770 instead of 1030 kilocycles, and In re Application of Falls County Public Service, 6 Pike and Fischer RR 273, we held that "from any point of view—of fact—or of law—or of equity—KWBU [now KCTA] has no rights to the 1010 kc frequency, which can be adversely affected by a grant of the [KMLW] application [in 1950 for 250 watts on 1010 kc] * * *"; and that, therefore, WABC's instant showing is without merit to warrant including WABC as a party respondent in the hearing ordered below; and

It further appearing that after consideration of the foregoing and the applicants' replies, the Commission is still unable to make the statutory finding that a grant of the applications would serve the public interest, convenience, and necessity; and is of the opinion that the applications must be designated for hearing in a consolidated proceeding on the issues specified below;

It is ordered, That, pursuant to section 309(b) of the Communications Act of 1934, as amended, the instant applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine the areas and populations which would receive primary service from Taft Broadcasting Company and the availability of other primary service to such areas and populations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Station KMLW and the availability of other primary service to such areas and populations.

3. To determine the nature and extent of the interference, if any, that each of the instant proposals would cause to and receive from each other and all other existing standard broadcast stations, the areas and populations affected thereby, and the availability of other primary service to the areas and populations affected by interference from either of the instant proposals.

4. To determine whether the instant proposal of Taft Broadcasting Company would involve objectionable interference with Station KCTA, Corpus Christi, Texas, or any other existing standard broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby and the availability of other primary service to such areas and populations.

5. To determine whether the interference received from the other proposal herein and any existing stations would affect more than ten percent of the population within the normally protected primary service area of either of the instant proposals in contravention of § 3.28(c)(3) of the Commission rules and, if so, whether circumstances exist which would warrant a waiver of said section.

6. To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the instant proposals would better provide a fair, efficient and equitable distribution of radio service.

7. To determine, in the light of the evidence adduced pursuant to the foregoing issues which, if either, of the instant applications should be granted.

It is further ordered, That, Broadcasting Corporation of The Southwest, licensee of Station KCTA, Corpus Christi, Texas, is made a party to the proceeding.

It is further ordered, That, the request of American Broadcasting-Paramount Theatres, Inc., contained in its petition of November 18, 1958, that it be designated as a party with respect to any hearing that might be held on the subject application of KMLW is denied for the reasons hereinbefore specified.

It is further ordered, That, to avail themselves of the opportunity to be heard, the instant applicants and party respondent herein, pursuant to § 1.140 of the Commission rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That, the issues in the above-captioned proceeding may be enlarged by the Examiner, on his own motion or on petition properly filed by a party to the proceeding, and upon sufficient allegations of fact in support thereof, by the addition of the following issue: To determine whether the funds available to the applicant will give reasonable assurance that the proposals set forth in the application will be effectuated.

Released: May 13, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-4500; Filed, May 17, 1960; 8:50 a.m.]

[Docket Nos. 13483, 13484; FCC 60M-825]

RADIO STATION WESB AND CANANDAIGUA BROADCASTING CO., INC.

Order Scheduling Hearing

In re applications of Thomas R. Bromeley, Mary Ann Satterwhite, Charlotte E. Anderson and Joyce L. Edwards,

d/b as Radio Station WESB, Canandaigua, New York, Docket No. 13483, File No. BP-12400, Canandaigua Broadcasting Company, Inc., Canandaigua, New York, Docket No. 13484, File No. BP-13031; for construction permits.

It is ordered, This 11th day of May 1960, that Annie Neal Huntting will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on July 8, 1960, in Washington, D.C.

Released: May 12, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-4501; Filed, May 17, 1960; 8:50 a.m.]

[Docket Nos. 13504, 13505; FCC 60M-829]

LAWRENCE SHUSHAN AND UNITED BROADCASTING CO. (KEEN-FM)

Order Scheduling Hearing

In re applications of Lawrence Shushan, Albany, California, Docket No. 13504, File No. BPM-2799; United Broadcasting Company (KEEN-FM), San Jose, California, Docket No. 13505, File No. BMPH-6068; for construction permits (FM).

It is ordered, This 11th day of May 1960, that H. Gifford Irion will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on July 25, 1960, in Washington, D.C.

Released: May 12, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-4502; Filed, May 17, 1960; 8:50 a.m.]

[Docket No. 13503; FCC 60M-828]

KENNETH F. WARREN

Order Scheduling Hearing

In re application of Kenneth F. Warren, Monterey, California, Docket No. 13503, File No. BPH-2867; for construction permit (FM).

It is ordered, This 11th day day of May 1960, that James D. Cunningham will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on July 13, 1960, in Washington, D.C.

Released: May 12, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-4503; Filed, May 17, 1960; 8:50 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-9510 etc.]

CITIES SERVICE PRODUCTION CO. ET AL.

Order Granting Motion To Allow Rates To Remain in Effect Without Obligation To Refund, Discharging Obligation To Refund Under Supplements, Severing Proceedings, and Terminating Proceedings

MAY 6, 1960.

Cities Service Production Company, Docket Nos. G-9510, G-11325, G-12780, G-13388, and G-16487; Cities Service Oil Company, Docket Nos. G-13031, G-13376, G-13715, G-13777, G-14034, G-16123, and G-16360; Cities Service Oil Company (Operator), et al., Docket Nos. G-12983, G-14723, G-14724, and G-15210.

The above-consolidated matters (Docket Nos. G-9510, et al.) are presently in recess and are scheduled to be re-convened on order of the presiding examiner.

On November 25, 1957, Cities Service Oil Company (Cities Service) tendered for filing proposed rate increases from 10.0 cents per Mcf to 11.0 cents per Mcf for the sale of natural gas to Lone Star Gas Company (Lone Star) from Katie Field, Garvin County, Oklahoma. The filings were designated as Supplement Nos. 1, 1, 2, and 2 to Cities Service's FPC Gas Rate Schedule Nos. 3, 29, 9, and 6, respectively, and, by order issued December 23, 1957 in Docket No. G-14034, were suspended until June 1, 1958, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act. Pursuant to an appropriate motion filed by Cities Service and an order of the Commission issued June 20, 1958, the increased rates were made effective as of June 1, 1958, subject to refund. By order issued September 24, 1958, the proceedings involved in Docket No. G-14034 were consolidated in the above-entitled matters for purposes of hearing.

On April 8, 1960, Cities Service filed a motion in Docket No. G-14034 requesting the Commission to reconsider and vacate its orders issued in Docket No. G-14034; permit the supplements involved in the aforementioned proceeding to become effective forthwith without obligation to refund; sever said proceeding from Docket Nos. G-9510, et al.; and terminate said proceeding. In support of its motion, Cities Service states that comparable rate increases filed with the Commission by other producers in the same production area were permitted to go into effect without suspension and suspension proceedings of other producers similarly situated were terminated by the Commission. In addition, Cities Service states that unless its motion is granted it will be denied equal rights and will be subject to undue discrimination.

Consistent with our action in terminating suspension proceedings involving other producers similarly situated, the aforementioned suspension proceeding should be terminated. Neither Lone Star nor any other person has protested the motion filed by Cities Service.

The Commission finds: Good cause exists for granting Cities Service's motion filed in Docket No. G-14034 on April 8, 1960, as hereinafter ordered; allowing the aforementioned suspended supplements involved in Docket No. G-14034 to remain in effect without obligation to refund; discharging Cities Service from its obligation to refund under the aforesaid supplements; severing the proceeding involved in Docket No. G-14034 from the proceedings involved in Docket Nos. G-9510, et al.; and terminating the suspension proceeding involved in Docket No. G-14034.

The Commission orders:

(A) The aforementioned suspended supplements involved in the proceeding in Docket No. G-14034 are hereby allowed to remain in effect without obligation to refund as of the date each became effective, subject to refund.

(B) Cities Service is hereby discharged from its obligation to refund under the aforementioned supplements involved in the aforesaid proceeding in Docket No. G-14034.

(C) The proceeding in Docket No. G-14034 is hereby severed from the proceedings involved in Docket Nos. G-9510, et al.

(D) The proceeding involved in Docket No. G-14034 is hereby terminated.

(E) This order is without prejudice to any findings or orders which have been made, or may be made by the Commission in Docket Nos. G-9510, et al., or in any other proceeding now pending or hereinafter instituted by or against Cities Service Oil Company.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 60-4455; Filed, May 17, 1960; 8:46 a.m.]

[Docket No. G-9520 etc.]

GULF OIL CORP. ET AL.

Order Severing and Terminating Proceeding

MAY 9, 1960.

Gulf Oil Corporation, et al., Docket Nos. G-9520, et al.; Gulf Oil Corporation, Docket No. G-15127.

On April 25, 1958, Gulf Oil Corporation (Gulf), tendered for filing a proposed increased rate of 16.4 cents per Mcf, reflecting a 0.2 cent per Mcf increase over the rate then in effect for jurisdictional sales of natural gas to Natural Gas Pipe Line Company of America. The tender was designated as Supplement No. 3 to Gulf's FPC Gas Rate Schedule No. 46 and was suspended by order issued May 22, 1958, in Docket No. G-15127, until October 26, 1958, and

until such further time as it was made effective in the manner prescribed by the Natural Gas Act. The proposed increased rate was never made effective.

On April 1, 1960, Gulf tendered for filing a proposed increased rate of 16.8 cents per Mcf, reflecting a 0.6 cent per Mcf increase over the rate then in effect. The tender was designated as Supplement No. 4 to Gulf's FPC Gas Rate Schedule No. 46 and was suspended by order issued May 6, 1960, in Docket No. RI60–319.

As no motion to place the proposed increased rate into effect was filed in Docket No. G–15127, the proposed increased rate suspended in Docket No. RI60–319 renders the proceeding in Docket No. G–17148 moot.

The Commission finds:

(1) Good cause exists for severing the proceeding in Docket No. G–15127 from the consolidated proceedings in Docket Nos. G–9520, et al.

(2) The proceeding in Docket No. G–15127 should be terminated.

The Commission orders:

(1) Docket No. G–15127 is hereby severed from the consolidated proceedings in Docket Nos. G–9520, et al.

(2) The proceeding in Docket No. G–15127 is hereby terminated.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 60–4456; Filed, May 17, 1960; 8:46 a.m.]

[Docket No. G–2506]

PANHANDLE EASTERN PIPE LINE CO.

Order Postponing Oral Argument

MAY 6, 1960.

By order of the Commission issued herein on April 20, 1960, oral argument on the issue of the proper allowance to be included in the cost of service for Panhandle's produced gas was fixed to be held on May 12, 1960. It now appears that such oral argument should be postponed as hereinafter ordered.

The Commission orders: The oral argument fixed by our order issued herein April 20, 1960, to be held on May 12, 1960, is postponed until May 26, 1960, at 10:00 a.m. e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 60–4457; Filed, May 17, 1960; 8:46 a.m.]

[Docket No. CP60–64]

TENNESSEE GAS TRANSMISSION CO.

Notice of Application and Date of Hearing

MAY 12, 1960.

Take notice that on March 22, 1960, as supplemented on April 6, 1960, Tennessee Gas Transmission Company (Applicant) filed in Docket No. CP60–64 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of approximately 11.6 miles of 12-inch pipeline from a point on Tennessee's existing 12-inch Grand Cheniere Line in Cameron Parish, Louisiana, to a platform in Block 16, East Cameron Area, offshore Louisiana, together with appurtenant facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The purpose of the proposed construction is to attach to Applicant's natural gas system approximately 102,944 MMcf of recoverable reserves owned by Applicant in the Block 17 Field underlying approximately 8,500 acres under lease to Applicant in Blocks 16, 17 and 24, and to receive into the proposed line such gas as may be purchased under contracts to be negotiated in the near future with other independent producers presently operating in the Block 17 area.

The cost of the proposed facilities is estimated at $1,031,000, which will be financed from funds on hand.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on June 14, 1960, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 3, 1960. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 60–4458; Filed, May 17, 1960; 8:46 a.m.]

[Docket No. CP60–7]

UNITED GAS PIPE LINE CO.

Notice of Application and Date of Hearing

MAY 12, 1960.

Take notice that on January 13, 1960, United Gas Pipe Line Company (Applicant), filed an application in Docket No. CP60–7, pursuant to section 7(b) of the Natural Gas Act, for authority to abandon and remove certain natural gas facilities formerly used to deliver natural gas to two direct industrial customers, all as more fully set forth in the application on file with the Commission and open for public inspection.

The facilities proposed for abandonment and removal are as follows:

(a) A meter station, 228 feet of 18-inch pipeline, 120 feet of 16-inch pipeline, and other appurtenant facilities formerly used to deliver natural gas to an industrial plant of the Neches Butane Products Corporation (Neches) in Jefferson County, Texas.

(b) 2,773 feet of 6-inch pipeline, a measuring station and other measuring equipment formerly used to deliver natural gas to a refinery of the Atlantic Refining Company (Atlantic) in Jefferson County, Texas.

The above facilities had been used by Applicant to deliver gas to Atlantic and Neches for use in their operations near Beaumont, Texas.

Applicant states that the contracts under which the direct industrial sales were being made have terminated, and that deliveries to Atlantic and Neches ceased on January 1, 1960. Applicant proposes to remove the facilities in order that they may be used at other locations when required.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on June 14, 1960 at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 3, 1960. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 60–4459; Filed, May 17, 1960; 8:46 a.m.]

FEDERAL RADIATION COUNCIL

RADIATION PROTECTION GUIDANCE FOR FEDERAL AGENCIES

Memorandum for the President

Pursuant to Executive Order 10831 and Public Law 86-373, the Federal Radiation Council has made a study of the hazards and use of radiation. We herewith transmit our first report to you concerning our findings and our recommendations for the guidance of Federal agencies in the conduct of their radiation protection activities.

It is the statutory responsibility of the Council to "* * * advise the President with respect to radiation matters, directly or indirectly affecting health, including guidance for all Federal agencies in the formulation of radiation standards and in the establishment and execution of programs of cooperation with States * * *".

Fundamentally, setting basic radiation protection standards involves passing judgment on the extent of the possible health hazard society is willing to accept in order to realize the known benefits of radiation. It involves inevitably a balancing between total health protection, which might require foregoing any activities increasing exposure to radiation, and the vigorous promotion of the use of radiation and atomic energy in order to achieve optimum benefits.

The Federal Radiation Council has reviewed available knowledge on radiation effects and consulted with scientists within and outside the Government. Each member has also examined the guidance recommended in this memorandum in light of his statutory responsibilities. Although the guidance does not cover all phases of radiation protection, such as internal emitters, we find that the guidance which we recommend that you provide for the use of Federal agencies gives appropriate consideration to the requirements of health protection and the beneficial uses of radiation and atomic energy. Our further findings and recommendations follow.

Discussion. The fundamental problem in establishing radiation protection guides is to allow as much of the beneficial uses of ionizing radiation as possible while assuring that man is not exposed to undue hazard. To get a true insight into the scope of the problem and the impact of the decisions involved, a review of the benefits and the hazards is necessary.

It is important in considering both the benefits and hazards of radiation to appreciate that man has existed throughout his history in a bath of natural radiation. This background radiation, which varies over the earth, provides a partial basis for understanding the effects of radiation on man and serves as an indicator of the ranges of radiation exposures within which the human population has developed and increased.

The benefits of ionizing radiation. Radiation properly controlled is a boon to mankind. It has been of inestimable value in the diagnosis and treatment of diseases. It can provide sources of energy greater than any the world has yet had available. In industry, it is used as a tool to measure thickness, quantity or quality, to discover hidden flaws, to trace liquid flow, and for other purposes. So many research uses for ionizing radiation have been found that scientists in many diverse fields now rank radiation with the microscope in value as a working tool.

The hazards of ionizing radiation. Ionizing radiation involves health hazards just as do many other useful tools. Scientific findings concerning the biological effects of radiation of most immediate interest to the establishment of radiation protection standards are the following:

1. Acute doses of radiation may produce immediate or delayed effects, or both.

2. As acute whole body doses increase above approximately 25 rems (units of radiation dose), immediately observable effects increase in severity with dose, beginning from barely detectable changes, to biological signs clearly indicating damage, to death at levels of a few hundred rems.

3. Delayed effects produced either by acute irradiation or by chronic irradiation are similar in kind, but the ability of the body to repair radiation damage is usually more effective in the case of chronic than acute irradiation.

4. The delayed effects from radiation are in general indistinguishable from familiar pathological conditions usually present in the population.

5. Delayed effects include genetic effects (effects transmitted to succeeding generations), increased incidence of tumors, lifespan shortening, and growth and development changes.

6. The child, the infant, and the unborn infant appear to be more sensitive to radiation than the adult.

7. The various organs of the body differ in their sensitivity to radiation.

8. Although ionizing radiation can induce genetic and somatic effects (effects on the individual during his lifetime other than genetic effects), the evidence at the present time is insufficient to justify precise conclusions on the nature of the dose-effect relationship at low doses and dose rates. Moreover, the evidence is insufficient to prove either the hypothesis of a "damage threshold" (a point below which no damage occurs) or the hypothesis of "no threshold" in man at low doses.

9. If one assumes a direct linear relation between biological effect and the amount of dose, it then becomes possible to relate very low dose to an assumed biological effect even though it is not detectable. It is generally agreed that the effect that may actually occur will not exceed the amount predicted by this assumption.

Basic biological assumptions. There are insufficient data to provide a firm basis for evaluating radiation effects for all types and levels of irradiation. There is particular uncertainty with respect to the biological effects at very low doses and low-dose rates. It is not prudent therefore to assume that there is a level of radiation exposure below which there is absolute certainty that no effect may occur. This consideration, in addition to the adoption of the conservative hypothesis of a linear relation between biological effect and the amount of dose, determines our basic approach to the formulation of radiation protection guides.

The lack of adequate scientific information makes it urgent that additional research be undertaken and new data developed to provide a firmer basis for evaluating biological risk. Appropriate member agencies of the Federal Radiation Council are sponsoring and encouraging research in these areas.

Recommendations. In view of the findings summarized above the following recommendations are made:

It is recommended that:

1. There should not be any man-made radiation exposure without the expectation of benefit resulting from such exposure. Activities resulting in man-made radiation exposure should be authorized for useful applications provided in recommendations set forth herein are followed.

It is recommended that:

2. The term "Radiation Protection Guide" be adopted for Federal use. This term is defined as the radiation dose which should not be exceeded without careful consideration of the reasons for doing so; every effort should be made to encourage the maintenance of radiation doses as far below this guide as practicable.

It is recommended that:

3. The following Radiation Protection Guides be adopted for normal peacetime operations:

Type of exposure	Condition	Dose (rem)
Radiation worker:		
(a) Whole body, head and trunk, active blood forming organs, gonads, or lens of eye.	Accumulated dose	5 times the number of years beyond age 18.
	13 weeks	3.
(b) Skin of whole body and thyroid	Year	30.
	13 weeks	10.
(c) Hands and forearms, feet and ankles	Year	75.
	13 weeks	25.
(d) Bone	Body burden	0.1 microgram of radium-226 or its biological equivalent.
(e) Other organs	Year	15.
	13 weeks	5.
Population:		
(a) Individual	Year	0.5 (whole body).
(b) Average	30 year	5 (gonads).

The following points are made in relation to the Radiation Protection Guides herein provided:

(1) For the individual in the population, the basic Guide for annual whole body dose is 0.5 rem. This Guide ap-

plies when the individual whole body doses are known. As an operational technique, where the individual whole body doses are not known, a suitable sample of the exposed population should be developed whose protection guide for annual whole body dose will be 0.17 rem per capita per year. It is emphasized that this is an operational technique which should be modified to meet special situations.

(2) Considerations of population genetics impose a per capita dose limitation for the gonads of 5 rems in 30 years. The operational mechanism described above for the annual individual whole body dose of 0.5 rem is likely in the immediate future to assure that the gonadal exposure Guide (5 rem in 30 years) is not exceeded.

(3) These Guides do not differ substantially from certain other recommendations such as those made by the National Committee on Radiation Protection and Measurements, the National Academy of Sciences, and the International Commission on Radiological Protection.

(4) The term "maximum permissible dose" is used by the National Committee on Radiation Protection (NCRP) and the International Commission on Radiological Protection (ICRP). However, this term is often misunderstood. The words "maximum" and "permissible" both have unfortunate connotations not intended by either the NCRP or the ICRP.

(5) There can be no single permissible or acceptable level of exposure without regard to the reason for permitting the exposure. It should be general practice to reduce exposure to radiation, and positive effort should be carried out to fulfill the sense of these recommendations. It is basic that exposure to radiation should result from a real determination of its necessity.

(6) There can be different Radiation Protection Guides with different numerical values, depending upon the circumstances. The Guides herein recommended are appropriate for normal peacetime operations.

(7) These Guides are not intended to apply to radiation exposure resulting from natural background or the purposeful exposure of patients by practitioners of the healing arts.

(8) It is recognized that our present scientific knowledge does not provide a firm foundation within a factor of two or three for selection of any particular numerical value in preference to another value. It should be recognized that the Radiation Protection Guides recommended in this paper are well below the level where biological damage has been observed in humans.

It is recommended that:

4. Current protection guides used by the agencies be continued on an interim basis for organ doses to the population.

Recommendations are not made concerning the Radiation Protection Guides for individual organ doses to the population, other than the gonads. Unfortunately, the complexities of establishing guides applicable to radiation exposure of all body organs preclude the Council from making recommendations concerning them at this time. However, current protection guides used by the agencies appear appropriate on an interim basis.

It is recommended that:

5. The term "Radioactivity Concentration Guide" be adopted for Federal use. This term is defined as the concentration of radioactivity in the environment which is determined to result in whole body or organ doses equal to the Radiation Protection Guide.

Within this definition, Radioactivity Concentration Guides can be determined after the Radiation Protection Guides are decided upon. Any given Radioactivity Concentration Guide is applicable only for the circumstances under which the use of its corresponding Radiation Protection Guide is appropriate.

It is recommended that:

6. The Federal agencies, as an interim measure, use radioactivity concentration guides which are consistent with the recommended Radiation Protection Guides. Where no Radiation Protection Guides are provided, Federal agencies continue present practices.

No specific numerical recommendations for Radioactivity Concentration Guides are provided at this time. However, concentration guides now used by the agencies appear appropriate on an interim basis. Where appropriate radioactivity concentration guides are not available, and where Radiation Protection Guides for specific organs are provided herein, the latter Guides can be used by the Federal agencies as a starting point for the derivation of radioactivity concentration guides applicable to their particular problems. The Federal Radiation Council has also initiated action directed towards the development of additional Guides for radiation protection.

It is recommended that:

7. The Federal agencies apply these Radiation Protection Guides with judgment and discretion, to assure that reasonable probability is achieved in the attainment of the desired goal of protecting man from the undesirable effects of radiation. The Guides may be exceeded only after the Federal agency having jurisdiction over the matter has carefully considered the reason for doing so in light of the recommendations in this paper.

The Radiation Protection Guides provide a general framework for the radiation protection requirements. It is expected that each Federal agency, by virtue of its immediate knowledge of its operating problems, will use these Guides as a basis upon which to develop detailed standards tailored to meet its particular requirements. The Council will follow the activities of the Federal agencies in this area and will promote the necessary coordination to achieve an effective Federal program.

If the foregoing recommendations are approved by you for the guidance of Federal agencies in the conduct of their radiation protection activities, it is further recommended that this memorandum be published in the FEDERAL REGISTER.

ARTHUR S. FLEMMING,
Chairman,
Federal Radiation Council.

The recommendations numbered "1" through "7" contained in the above memorandum are approved for the guidance of Federal agencies, and the memorandum shall be published in the FEDERAL REGISTER.

DWIGHT D. EISENHOWER

MAY 13, 1960.

[F.R. Doc. 60-4539; Filed, May 17, 1960; 8:51 a.m.]

FEDERAL RESERVE SYSTEM

NEW HAMPSHIRE BANKSHARES, INC.

Notice of Tentative Decision on Application for Prior Approval of Acquisition by Bank Holding Company of Voting Shares of Bank

Notice is hereby given that, pursuant to section 3(a) of the Bank Holding Company Act of 1956, New Hampshire Bankshares, Inc., Nashua, New Hampshire, a bank holding company, has applied for the Board's prior approval of the acquisition of up to 60 percent of the 2,000 outstanding voting shares of The Peoples National Bank of Claremont, Claremont, New Hampshire. Information relied upon by the Board in making its tentative decision is summarized in the Board's Tentative Statement[1] of this date, which is attached hereto and made a part hereof, and which is available for inspection at the Office of the Board's Secretary, at all Federal Reserve Banks, and at the Office of the Federal Register.

The record in this proceeding to date consists of the application, the Board's letter to the office of the Comptroller of the Currency inviting his views and recommendations on the application, the Comptroller's reply, this Notice of Tentative Decision, and the Tentative Statement.

For the reasons set forth in the Tentative Statement, the Board proposes to grant the application.

Notice is further given that any interested person may, not later than fifteen (15) days after the publication of this notice in the FEDERAL REGISTER, file with the Board in writing any comments upon or objections to the Board's proposed action. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington 25, D.C.

Following expiration of the said 15-day period, the Board's Tentative Decision will be made final by order to that effect, unless for good cause shown other action is deemed appropriate by the Board.

Dated at Washington, D.C., this 11th day of May 1960.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 60-4489; Filed, May 17, 1960; 8:49 a.m.]

[1] Filed as part of the original document.

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

DIRECTOR, RECORDS MANAGEMENT BRANCH AND ASSISTANT DIRECTOR, RECORDS MANAGEMENT BRANCH

Designation as Legal Custodian of Records

The Director, Records Management Branch, or, in the absence of that officer, the Assistant Director is hereby designated as the legal custodian of the records of the Office of the Administrator (including those of the Community Facilities Administration and the Urban Renewal Administration).

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c)

Effective as of the 18th day of May 1960.

[SEAL] NORMAN P. MASON,
Housing and Home Finance Administrator.

[F.R. Doc. 60-4483; Filed, May 17, 1960; 8:48 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 24NY-4641]

DIRECTOMAT, INC.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

MAY 11, 1960.

I. Directomat, Inc. (issuer), Hotel Roosevelt, Madison Avenue and 45th Street, New York 17, New York, filed with the Commission on March 17, 1958 a notification on Form 1-A and an offering circular relating to a proposed public offering of 240,000 shares of its 1¢ par value common stock at $1 per share for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) and Regulation A promulgated thereunder.

II. The Commission has reasonable cause to believe that:

A. The terms and conditions of Regulation A have not been complied with in that:

1. The issuer failed to disclose all the promoters and affiliates as required by Items 2 and 3 of the notification and all the promoters and controlling persons as required by paragraph 9 of Schedule I.

2. The issuer failed to file a complete and accurate report on Form 2-A as required by Rule 260 in that the report filed on May 27, 1958 states, contrary to fact, that the offering was completed on May 10, 1958 by the broker-dealer firms named therein.

B. The offering circular contained untrue statements of material facts and omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, particularly with respect to the failure to name and disclose the background and material interests of all promoters and affiliates of the issuer, and to disclose relationships between promoters, affiliates and an underwriter, and between a promoter and a company holding a material contract with the issuer.

C. The offering was made in violation of section 17 of the Act.

III. *It is ordered,* Pursuant to Rule 261 of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing within thirty days after the entry of this order; that within twenty days after receipt of such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission, for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; that if no hearing is requested and none is ordered by the Commission, this order shall become permanent on the thirtieth day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission; and that notice of the time and place for any hearing will promptly be given by the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 60-4464; Filed, May 17, 1960; 8:47 a.m.]

[File No. 70-3882]

SOUTHERN ELECTRIC GENERATING CO.

Notice of Proposed Issuance and Sale of Bonds

MAY 11, 1960.

Notice is hereby given that Southern Electric Generating Company ("SEGCO"), a public-utility subsidiary of Alabama Power Company ("Alabama") and Georgia Power Company ("Georgia"), exempt holding companies and public-utility subsidiaries of The Southern Company, a registered holding company, has filed an application with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 6(b) thereof and Rule 50 thereunder as applicable to the proposed transactions which are summarized as follows:

SEGCO proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, $40,000,000 principal amount of First Mortgage Bonds, __ percent Series of 1960, due 1992. The interest rate (to be a multiple of ⅛ of 1 percent) and the price to be paid SEGCO (to be not less than 99 percent nor more than 102¾ percent of the principal amount thereof and accrued interest) will be determined by the competitive bidding. The bonds will be issued under the Indenture dated as of June 1, 1959, between SEGCO and The First National City Bank of New York, as Trustee, as supplemented by a Supplemental Indenture to be dated as of June 1, 1960. The proposed bonds will rank equally as to security with all other bonds issued under the indenture and will, in the opinion of SEGCO's counsel, be a direct lien on substantially all of SEGCO's fixed property and franchises, with certain contingent exceptions. The bonds will also be secured by an agreement dated as of January 27, 1959, ("power contract") between SEGCO, Alabama, and Georgia pursuant to which Alabama and Georgia each agrees, among other things, to purchase one-half of the electric capacity available from SEGCO and to make payments therefor to SEGCO in amounts sufficient to meet all of its costs, expenses and taxes, including a 6 percent return on the net investment in plant.

SEGCO proposes to deposit the proceeds from the present sale of bonds in a construction fund provided for under the mortgage and to withdraw such funds for the payment of $27,000,000 of outstanding short-term notes incurred on account of the cost of acquisition or construction and completion of the SEGCO No. 1 steam plant, and against expenditures made and obligations incurred for such purposes. It is stated in the application that the first unit of this plant will be in commercial operation in April of 1960, the second in July of 1960, the third in the summer of 1961 and the fourth in the summer of 1962. It is estimated that the proceeds from the proposed sale of bonds, together with $16,000,000 received by SEGCO in May 1960, from the sale of shares of its common stock to Alabama and Georgia, will be sufficient to finance construction expenditures of SEGCO during 1960, except for short-term bank borrowings of $20,000,000 during the last five months of the year.

The fees and expenses to be incurred in connection with the proposed issuance of bonds are estimated to aggregate $175,920, including Federal issue tax of $44,000, Alabama mortgage privilege tax of $60,000, printing expenses, etc., of $8,000, company counsel fees of $20,000, accountant's fee of $6,500, mortgage recording fees of $300, trustees' fees (including counsel) of $14,000, system service company costs of $8,000, and miscellaneous expenses of $3,000. The fee of counsel for the underwriters, which is estimated at $15,000, is to be paid by the purchasers.

According to the filing the Alabama Public Service Commission has jurisdiction over the proposed issuance and sale of the bonds and a copy of the order of that commission expressly authorizing the bonds is to be supplied by amendment and the proposed transactions are not subject to the jurisdiction of any

State or Federal commission other than this Commission.

Notice is further given that any interested person may, not later than May 24, 1960, request in writing that a hearing be held in respect of such matters, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert; or he may request that he be notified should the Commission order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date the application, as filed, or as it may be hereafter amended, may be granted as provided by Rule 23 promulgated under the Act, or the Commission may grant exemption from its rules under the Act as provided by Rules 20(a) and 100 thereof, or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 60-4465; Filed, May 17, 1960; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 323]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

MAY 13, 1960.

The following publications are governed by the Interstate Commerce Commission's general rules of practice including special rules (49 CFR 1.241) governing notice of filing of applications by motor carriers of property or passengers or brokers under sections 206, 209 and 211 of the Interstate Commerce Act and certain other proceedings with respect thereto.

All hearings will be called at 9:30 o'clock a.m., United States standard time (or 9:30 o'clock a.m., local daylight saving time), unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING OR PRE-HEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

No. MC 200 (Sub No. 204), filed May 6, 1960. Applicant: RISS & COMPANY, INC., 9th and Burlington, North Kansas City, Mo. Applicant's attorney: Ivan E. Moody, 9th and Burlington, North Kansas City, Mo. Authority sought to operate as a *common carrier,* by motor vehicle, over regular routes, transporting: *General commodities,* except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, serving the plant site of the Kelsey-Hayes Company, located at 38481 Huron River Drive, corner of Huron River Drive and Northline Road in Romulus Township, Wayne County, Mich., as an off-route point in connection with applicant's authorized regular route operations to and from Detroit, Mich.

HEARING: June 20, 1960, at the Olds Hotel, Lansing, Mich., before Joint Board No. 76, or, if the Joint Board waives its right to participate, before Examiner Charles J. Murphy.

No. MC 2202 (Sub No. 186), filed April 15, 1960. Applicant: ROADWAY EXPRESS, INC., 147 Park Street, Akron, Ohio. Applicant's attorney: William O. Turney, 2001 Massachusetts Avenue NW., Washington 6, D.C. Authority sought to operate as a *common carrier,* by motor vehicle, transporting: *General commodities,* except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the plant site of Carlon Products Corp., near Aurora, Ohio, as an off-route point, in connection with applicant's authorized regular route operations to and from Cleveland, Ohio.

NOTE: Common control may be involved.

HEARING: July 13, 1960, at the New Post Office Building, Columbus, Ohio, before Joint Board No. 117.

No. MC 2392 (Sub No. 20), filed May 2, 1960. Applicant: WHEELER TRANSPORT SERVICE, INC., Genoa, Nebr. Applicant's attorney: C. J. Burrill, 904 City National Bank Building, Omaha 2, Nebr. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Liquid petroleum gas,* in bulk, in tank vehicles, and *damaged or rejected shipments,* between points in Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, the Upper Peninsula of Michigan, and Wisconsin.

HEARING: June 20, 1960, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner Maurice S. Bush.

No. MC 3018 (Sub No. 6), filed April 18, 1960. Applicant: McKEOWN TRANSPORTATION COMPANY, a Corporation, 1423 West 59th Street, Chicago 36, Ill. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Compressed and liquid acetylene, argon, nitrogen and hydrogen gases,* in cylinders, from East Chicago and Hammond, Ind., to Jacksonville, Ill., and Cedar Rapids, Iowa, and *empty containers or other such incidental facilities,* used in transporting the above-described commodities on return:

NOTE: Applicant states the proposed operations will be under a continuing contract with Linde Company, a division of Union Carbide Corporation.

HEARING: July 15, 1960, at the Pick-Congress Hotel, Chicago, Ill., before Joint Board No. 53.

No. MC 4405 (Sub No. 355), filed April 7, 1960. Applicant: DEALERS TRANSIT, INC., 13101 South Torrence Avenue, Chicago 33, Ill. Applicant's attorney: James W. Wrape, 1624 Eye Street, NW., Washington 6, D.C. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Trailers, Semi-trailers, Trailer Chassis* and *Semi-Trailer Chassis,* other than those designed to be drawn by passenger automobiles, in initial truckaway service, from Baton Rouge, La., to all points in the United States, including Alaska, but excluding Hawaii.

HEARING: July 29, 1960, at the Louisiana Public Service Commission, Baton Rouge, La., before Examiner Jerry F. Laughlin.

No. MC 14252 (Sub No. 13), filed April 1, 1960. Applicant: COMMERCIAL MOTOR FREIGHT, INC., 525 Cleveland Avenue, Columbus 3, Ohio. Authority sought to operate as a *common carrier,* by motor vehicle, over regular routes, transporting: *General commodities,* except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (a) between Granville, Ohio and Junction Ohio Highway 37 and U.S. Highway 40, over Ohio Highway 37, (b) between Medina, Ohio and Akron, Ohio over Ohio Highway 18, (c) between Ashland, Ohio and Junction U.S. Highway 224 and U.S. Highway 250, over U.S. Highway 250, (d) between West Jefferson, Ohio, and Plain City, Ohio, over county road, (e) between Harrisville, Ohio, and Junction U.S. Highway 250 and Ohio Highway 76, over U.S. Highway 250, (f) between junction U.S. Highway 40 (west of Springfield, Ohio) and County Road, Via Medway, over County Road to junction Ohio Highway 69, (g) between Washington Court House, Ohio, and Greenfield, Ohio, over Ohio Highway 70, (h) between Dublin, Ohio, and Junction U.S. Highway 42 and Ohio Highway 745, over Ohio Highway 745, (i) between Junction Ohio Highway 8 and U.S. Highway 224 and Junction Ohio Highway 7 and U.S. Highway 224, over U.S. Highway 224, and (j) between Massillon, Ohio, and Junction U.S. Highway 224 west of Barberton and U.S. Highway 21, over U.S. Highway 21, as alternate routes for operating convenience only, serving no intermediate points, in connection with applicant's authorized regular route operations.

HEARING: July 12, 1960, at the New Post Office Building, Columbus, Ohio, before Joint Board No. 117.

No. MC 14252 (Sub No. 14), filed April 1, 1960. Applicant: COMMERCIAL MOTOR FREIGHT, INC., 525 Cleveland Avenue, Columbus 3, Ohio. Authority sought to operate as a *common carrier,* by motor vehicle, over regular routes, transporting: *General commodities,* except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Zanesville, Ohio, and Wheeling, W. Va.: from Zanesville over U.S. Highway 40 to Wheeling, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's authorized regular route operations.

HEARING: July 11, 1960, at the New Post Office Building, Columbus, Ohio, before Joint Board No. 61.

No. MC 14252 (Sub No. 15), filed April 1, 1960. Applicant: COMMERCIAL MOTOR FREIGHT, INC., 525 Cleveland Avenue, Columbus 3, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Cleveland, Ohio, and Stow, Ohio: from Cleveland over Ohio Highway 14 to Twinsburg, and thence over Ohio Highway 91 to Stow, and return over the same route, serving all intermediate points.

NOTE: Applicant states the proposed application is to remove the restriction against service on Ohio Highways 14 and 91 intermediate to Cleveland and Stow.

HEARING: July 11, 1960, at the New Post Office Building, Columbus, Ohio, before Joint Board No. 117.

No. MC 14252 (Sub No. 16), filed April 6, 1960. Applicant: COMMERCIAL MOTOR FREIGHT, INC., 525 Cleveland Avenue, Columbus 3, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Zanesville, Ohio, and the plant site of the General Electric Company; as follows, from Zanesville, Ohio over U.S. Highway 40 to junction of U.S. Highway 40 and County Road 55, thence north on County Road 55 to the plant site of General Electric Company, and return over the same routes, serving no intermediate points.

HEARING: July 12, 1960, at the New Post Office Building, Columbus, Ohio, before Joint Board No. 117.

No. MC 19778 (Sub No. 34), filed April 7, 1960. Applicant: CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY, a Corporation, 516 West Jackson Boulevard, Chicago 6, Ill. Applicant's attorney: Robert F. Munsell, Chicago, Milwaukee, St. Paul and Pacific Railroad Company, 888–516 West Jackson Boulevard, Chicago 6, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, including *articles of unusual value, Classes A and B explosives, commodities in bulk*, and *those requiring special equipment*, but excluding household goods as defined by the Commission, (1) between Wabasha, Minn., and Menomonie, Wis., from Wabasha over Minnesota Highway 60 to the Minnesota-Wisconsin State line, thence over Wisconsin Highway 25 to Menomonie; and (2) between Durand, Wis., and Chippewa Falls, Wis., from Durand over Wisconsin Highway 85 to Eau Claire, Wis., thence over U.S. Highway 53 to Chippewa Falls, and return over the above two routes, serving the intermediate points of Durand, Downsville, Caryville, Eau Claire, and Presto, Wis., which are points on applicant's rail line, and the off-route points of Trevino, Maxwell, Dunnville, Red Cedar, and Meridean, Wis.; AND OVER THE FOLLOWING ALTERNATE ROUTES, in the transportation of the above-specified commodities, (A) between Chippewa Falls, Wis., and Menomonie, Wis., over Wisconsin Highway 29, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's authorized and pending regular route operations; (B) between Minneapolis, Minn., and Eau Claire, Wis., from Minneapolis over U.S. Highway 12 to junction Interstate Highway 94 near Hudson, Wis., thence over Interstate Highway 94 to junction U.S. Highway 12 near Eau Claire, thence over U.S. Highway 12 to Eau Claire, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's authorized and pending regular route operations; and (C) between Eau Claire, Wis., and LaCrosse, Wis., over U.S. Highway 53, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's authorized and pending regular route operations.

NOTE: Duplication with present authority to be eliminated.

HEARING: July 27, 1960, in Room 926, Metropolitan Building, Second Avenue South and Third, Minneapolis, Minn., before Joint Board No. 142.

No. MC 28132 (Sub No. 54), filed April 4, 1960. Applicant: HVIDSTEN TRANSPORT, INC., 2821 Main Avenue, Fargo, N. Dak. Applicant's attorney: Alan Foss, First National Bank Building, Fargo, N. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Mandan, N. Dak., and points within 10 miles thereof, to points in Minnesota.

HEARING: July 29, 1960, in Room 926, Metropolitan Building, Second Avenue, South and Third, Minneapolis, Minn., before Joint Board No. 24.

No. MC 38383 (Sub No. 10), filed May 6, 1960. Applicant: GLENN CARTAGE CO., 1151 South Sate Street, Girard, Ohio. Applicant's attorney: William B. Elmer, 1800 Buhl Building, Detroit 26, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Steel, steel products* and *machinery*, (2) *Paper and paper products*, and (3) *Building material*, from the site of the Kelsey-Hayes Co., plant located at the intersection of North Line Road and Huron River Drive, Romulus Township, Wayne County, Mich., to points in Michigan, Ohio, Pennsylvania, New York, West Virginia, and points in Kentucky within five (5) miles of the Ohio River.

HEARING: June 20, 1960, at the Olds Hotel, Lansing, Mich., before Examiner Charles J. Murphy.

No. MC 40857 (Sub No. 7), filed May 4, 1960. Applicant: SHORT LINE EXPRESS COMPANY, INC., 3107 South Main Street, South Bend, Ind. Applicant's attorney: Ferdinand Born, 1017–19 Chamber of Commerce Building, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, serving the site of the B. F. Goodrich Tire Company plant, located in Milan Township, Allen County, Ind., approximately 11 to 13 airline miles from the City limits of Fort Wayne, Ind., on U.S. Highway 24 between County Roads Webster and Garver, as an offroute point in connection with applicant's authorized regular route operations to and from Fort Wayne, Ind.

HEARING: June 13, 1960, at the U.S. Court Rooms, Indianapolis, Ind., before Joint Board No. 72, or, if the Joint Board waives its right to participate, before Examiner Charles J. Murphy.

No. MC 41984 (Sub No. 17), filed April 29, 1960. Applicant: BLANTON TRUCKING COMPANY, INCORPORATED, Milford, Va. Applicant's attorney: Thomas F. Kilroy, 1000 Connecticut Avenue NW., Suite 610, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except articles of unusual value or size, livestock, Classes A and B explosives, inflammables, commodities in bulk other than fertilizer, and household goods as defined by the Commission, between points in Henrico, Chesterfield, Dinwiddie, Prince George, Sussex, and Greensville Counties, Va., and points in Halifax, Warren, Franklin, Nash, Edgecombe, Martin, Bertie, and Northampton Counties, N.C.

HEARING: June 27, 1960, at the U.S. Court Rooms, Richmond, Va., before Joint Board No. 7.

No. MC 43442 (Sub No. 13), filed May 2, 1960. Applicant: TRANSPORTATION SERVICE, INC., 1946 Bagley Avenue, Detroit 16, Mich. Applicant's attorney: John Graham (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the plant site of the Kelsey-Hayes Company, located at the intersection of Northline Road and Huron River Drive, Romulus Township, Wayne County, Mich., as an off-route point in connection with applicant's authorized regular route operations between Detroit, Mich., and points in Michigan and Ohio.

HEARING: June 20, 1960, at the Olds Hotel, Lansing, Mich., before Joint Board No. 76, or, if the Joint Board waives its right to participate, before Examiner Charles J. Murphy.

No. MC 47898 (Sub No. 1), filed April 4, 1960. Applicant: CLARK CARTAGE CO., INC., 1949 Van Deuren Street, Green Bay, Wis. Applicant's attorney: Edward A. Solie, 1 South Pinckney Street, Madison 3, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,

transporting: *Liquid propane gas,* in bulk, in tank vehicles, from Kankakee, Ill., and points within five miles thereof, to points in Brown, Fond du Lac, Langlade, Marathon, Oneida, and Outagamie Counties, Wis.

HEARING: July 20, 1960, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 13.

No. MC 50201 (Sub No. 17) filed May 6, 1960. Applicant: DOUGLAS TRUCKING LINES, INC., 1011 East Main Street, Owosso, Mich. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *General commodities,* except those of unusual value, Classes A and B explosives, commodities in bulk, household goods as defined by the Commission, and commodities requiring special equipment, and those injurious or contaminating to other lading, serving the site of the Kelsey-Hayes Company plant located at the intersection of North Line Road and Huron River Drive, Romulus Township, Wayne County, Mich., as an off-route point in connection with carrier's regular route operations to and from Detroit, Mich., and the commercial zone thereof.

HEARING: June 20, 1960, at the Olds Hotel, Lansing, Mich., before Joint Board No. 76, or, if the Joint Board waives its right to participate, before Examiner Charles J. Murphy.

No. MC 50544 (Sub No. 43), filed April 18, 1960. Applicant: THE TEXAS AND PACIFIC MOTOR TRANSPORT COMPANY, a Corporation, 1025 Elm Street, Dallas 2, Tex. Applicant's attorney: Claude R. Wilson, Jr., The Texas and Pacific Railway Company Law Department, Dallas 2, Tex. Authority sought to operate as a *common carrier,* by motor vehicle, over regular routes, transporting: *General commodities (without exceptions)* between junction Louisiana Highways 1 and 970, also junction Louisiana Highways 1 and 418 and construction site of Old River Lock near Torras, La., as follows: (a) From junction Louisiana Highways 1 and 970, over Louisiana Highway 970 to junction Louisiana Highway 418, thence over Louisiana Highway 418 to junction unnumbered road leading to construction site of Old River Lock about 4/10 miles northwest of Torras, La., thence over unnumbered road to construction site of Old River Lock, a total highway distance of about 8.5 miles, and return over the same route, serving no intermediate points. (b) From junction Louisiana Highways 1 and 418 about 1 mile east of Simmesport, La., over Louisiana Highway 418 to junction with unnumbered road leading to construction site of Old River Lock about 4/10 miles northwest of Torras, La., thence over unnumbered road to construction site of Old River Lock, a total highway distance of 10.1 miles, and return over the same route, serving no intermediate points. (c) To traverse the routes proposed in (a) and (b) above in combination with one another, for instance, to operate over route (a) in reaching the construction site of the Old River Lock and return over route (b), or to go to the said site over route (b) and return over route (a).

NOTE: Applicant states it is a wholly owned subsidiary of the Texas and Pacific Railway Company.

HEARING: July 29, 1960, at the Louisiana Public Service Commission, Baton Rouge, La., before Joint Board No. 164, or, if the Joint Board waives its right to participate, before Examiner Jerry F. Laughlin.

No. MC 52139 (Sub No. 5), filed March 30, 1960. Applicant: CHICAGO, MICHIGAN & EASTERN FREIGHT LINES, INC., 3029 East 92d Street, Chicago, Ill. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Aluminum siding, parts, accessories* and *materials* used in the installation thereof, and *damaged and rejected shipments* of the above-specified commodities, between Chicago Heights, Ill., on the one hand, and, on the other, points in Michigan, except Detroit, on and south of a line beginning at Ludington, Mich., and extending along U.S. Highway 10 to junction Michigan Highway 20, thence along Michigan Highway 20 to Bay City, Mich., thence along Saginaw Bay to U.S. Highway 25, thence along U.S. Highway 25 to Port Huron, Mich.

HEARING: July 14, 1960, at the Pick-Congress Hotel, Chicago, Ill., before Joint Board No. 73.

No. MC 52673 (Sub No. 11), filed April 18, 1960. Applicant: FRED OLSON MOTOR SERVICE COMPANY, a Corporation, 1100 Bruce Street, Milwaukee, Wis. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Transmissions* and *engine driving gear or steering gear parts,* from Muncie, Ind., to Kenosha, Wis. *Skids, pallets* or *empty containers or other such incidental facilities* used in transporting the commodities specified in this application, from Kenosha, Wis., to Muncie, Ind.

HEARING: July 22, 1960, at the Hotel Schroeder, Milwaukee, Wis., before Joint Board No. 17.

No. MC 55896 (Sub-No. 8) filed May 6, 1960. Applicant: RAY WILLIAMS FREIGHT LINES, INC., 1750 Southfield, Lincoln Park, Mich. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *General commodities,* except those of unusual value, Classes A and B explosives, commodities in bulk, household goods as defined by the Commission, and commodities requiring special equipment, and those injurious or contaminating to other lading, serving the Kelsey-Hayes Company plant located at the intersection of North Line Road and Huron River Drive, Romulus Township, Wayne County, Mich., as an off-route point in connection with carrier's regular route operations to and from Detroit, Mich., and the commercial zone thereof.

HEARING: June 20, 1960, at the Olds Hotel, Lansing, Mich., before Joint Board No. 76, or, if the Joint Board waives its right to participate, before Examiner Charles J. Murphy.

No. MC 59852 (Sub No. 13) filed May 5, 1960. Applicant: ALL STATES FREIGHT, INCORPORATED, 1250 Kelly Avenue, Akron, Ohio. Applicant's attorney: W. R. Hubbard, 1032 Standard Building, Cleveland 13, Ohio. Authority sought to operate as a *common carrier,* by motor vehicle, over *regular routes,* transporting: *General commodities,* except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, liquid commodities in bulk, and those requiring special equipment, serving the plant site of the B. F. Goodrich Company, located in Milan Township, Allen County, Ind., approximately 11 to 13 miles from the city limits of Fort Wayne, Ind., on U.S. Highway 24 between County Roads Webster and Garver, as an off-route point in connection with applicant's authorized regular route operations to and from Fort Wayne, Ind.

HEARING: June 13, 1960, at the U.S. Court Rooms, Indianapolis, Ind., before Joint Board No. 72, or, if the Joint Board waives its right to participate, before Examiner Charles J. Murphy.

No. MC 67818 (Sub No. 66), filed May 9, 1960. Applicant: MICHIGAN EXPRESS, INC., 505 Monroe Avenue N.W., Grand Rapids, Mich. Applicant's attorney: Carl L. Steiner, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier,* by motor vehicle, over regular routes, transporting: *General commodities,* except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk (not including metal products and scrap metals in bulk), and those requiring special equipment, serving the plant site of the Kelsey-Hayes Company, located at 38481 Huron River Drive, Romulus, Mich., as an off-route point in connection with applicant's authorized operations.

HEARING: June 20, 1960, at the Olds Hotel, Lansing, Mich., before Joint Board No. 76, or, if the Joint Board waives its right to participate, before Examiner Charles J. Murphy.

No. MC 69116 (Sub No. 52), filed April 22, 1960. Applicant: SPECTOR FREIGHT SYSTEM, INC., 3100 South Wolcott Avenue, Chicago 8, Ill. Applicant's attorney: Jack Goodman, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: (1) *General commodities,* except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between the site of the B. F. Goodrich Tire Co. plant located in Milan Township, Allen County, Ind. (approximately 12 miles from the city limits of Fort Wayne, Ind.), on U.S. Highway 24 between County Roads Webster and Garver, on the one hand, and, on the other, all termini, intermediate and off-route points authorized to be served by applicant Spector Freight System, Inc., pursuant to its Certificate No. MC 69116 and Sub Numbers 26, 27, 28, 29, 30, 31, 32, 33, 35, 36, 39, 40, 41, 43, 45, 47, and 48.

(2) *General commodities,* except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of th B. F. Goodrich Tire Co. plant located in Milan Township, Allen County, Ind. (approximately 12 miles from Fort Wayne, Ind.) on U.S. Highway 24 between County Roads Webster and Garver, as an off-route point in connection with applicant's authorized regular route operations to and from Fort Wayne, Ind.

HEARING: June 13, 1960, in the U. S. Court Rooms, Indianapolis, Ind., before Joint Board No. 72, or, if the Joint Board waives its right to participate, before Examiner Charles J. Murphy.

No. MC 73262 (Sub No. 15) filed May 9, 1960. Applicant: MERCHANTS FREIGHT SYSTEM, INC., 1401 North 13th Street, Terre Haute, Ind. Applicant's attorney: Howell Ellis, 111 Monument Circle, Indianapolis 4, Ind. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *General commodities,* except those of unusual value, Classes A and B explosives, commodities in bulk, household goods as defined by the Commission, and commodities requiring special equipment, and those injurious or contaminating to other lading, serving the Kelsey Hayes Co., Romulus Plant, located at the corner of Huron River Drive and Northline Road, Romulus Township, Mich., as an off-route point in connection with applicant's presently authorized operations.

HEARING: June 20, 1960, at the Olds Hotel, Lansing, Mich., before Joint Board No. 76, or, if the Joint Board waives its right to participate, before Examiner Charles J. Murphy.

No. MC 80428 (Sub No. 32) (Correction), filed April 4, 1960, published FEDERAL REGISTER issue of May 4, 1960. Applicant: McBRIDE TRANSPORTATION, INC., Main Street, Goshen, N.Y. Applicant's attorny: Martin Werner, 2 West 45th Street, New York 36, N.Y. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Flavoring syrup,* in bulk, in tank vehicles, from Long Island City, N.Y., to Auburn, Maine.

NOTE: The purpose of this republication is to show attorney's correct address above. Previous publication incorrectly designated the street address.

HEARING: Remains as assigned: June 22, 1960, at 346 Broadway, New York, N.Y., before Examiner Edith H. Cockrill.

No. MC 84739 (Sub No. 7), filed April 8, 1960. Applicant: SEVERSON TRANSPORT, INC., R. No. 1, Box 163, Edgerton, Wis. Applicant's attorney: Adolph J. Bieberstein, 121 West Doty Street, Madison 3, Wis. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Specialty feeds,* in bags, from Davenport, Iowa, to Madison, Wis.

HEARING: July 15, 1960, at the Pick-Congress Hotel, Chicago, Ill., before Joint Board No. 111.

No. MC 95876 (Sub No. 19), filed April 11, 1960. Applicant: Anderson Trucking Service, Inc., 203 Cooper Avenue North, St. Cloud, Minn. Applicant's attorney: Donald A. Morken, 1100 First National Soo Line Building, Minneapolis 2, Minn. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Granite, stone, marble* and *slate,* and *machinery, equipment, materials and supplies* used in or in connection with the quarrying, fabricating and finishing of monumental and structural granite, stone, marble and slate, between points in Minnesota.

NOTE: Applicant also seeks the right to use any point in Minnesota as an alternate gateway to other authorized authority to or from Minnesota.

HEARING: July 26, 1960, in Room 926, Metropolitan Building, Second Avenue South and Third, Minneapolis, Minn., before Joint Board No. 145.

No. MC 101075 (Sub No. 60) (Amendment), filed May 2, 1960, published in the May 11, 1960 issue of the FEDERAL REGISTER. Applicant: TRANSPORT, INC., 1215 Center Avenue, Moorhead, Minn. Applicant's attorney: Val M. Higgins, 1100 First National-Soo Line Building, Minneapolis 2, Minn. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Petroleum* and *petroleum products,* in bulk, in tank vehicles, and *rejected shipments* of the above commodities, between points in Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Upper Peninsula of Michigan, and Wisconsin.

HEARING: Remains as assigned, June 20, 1960, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner Maurice S. Bush.

No. MC 102567 (Sub No. 77), filed April 14, 1960. Applicant: EARL CLARENCE GIBBON, doing business as EARL GIBBON PETROLEUM TRANSPORT, 235 Benton Road, Bossier City, La. Applicant's attorney: Jo E. Shaw, Bettes Building, Houston, Tex. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products,* including but not limited to those named in Appendix XIII to *Descriptions in Motor Carrier Certificates,* 61 M.C.C. 209, except liquefied petroleum gases, in bulk, in tank vehicles, from points in Calcasieu Parish, La., to points in Texas on and east of U.S. Highway 77.

NOTE: Applicant states no duplication of existing authority is sought.

HEARING: July 18, 1960, at the Federal Office Building, 600 South Street, New Orleans, La., before Joint Board No. 32, or, if the Joint Board waives its right to participate, before Examiner Jerry F. Laughlin.

No. MC 103654 (Sub No. 53) (Amendment), filed April 18, 1960, published in the May 4, 1960 issue of the FEDERAL REGISTER. Applicant: SCHIRMER TRANSPORTATION COMPANY, INC., 649 Pelham Boulevard, St. Paul, Minn. Applicant's attorney: Donald A. Morken, 1100 First National-Soo Line Building, Minneapolis 2, Minn. Authority sought to operate as a *common carrier,* by motor vehicle over irregular routes, transporting: *Petroleum and petroleum products,* in bulk, in tank vehicles, and *rejected shipments* of the commodities specified, between points in Illinois, Iowa, Minnesota, Kansas, North Dakota, South Dakota, Nebraska, Upper Peninsula of Michigan, Wisconsin, and Missouri.

HEARING: Remains as assigned, June 20, 1960, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner Maurice S. Bush.

No. MC 104004 (Sub No. 149), filed April 29, 1960. Applicant: ASSOCIATED TRANSPORT, INC., 380 Madison Avenue, New York 17, N.Y. Applicant's Representative: C. J. Braun, Jr. (same address as applicant). Authority sought to operate as a *common carrier,* by motor vehicle, over regular routes, transporting: *General commodities,* except those of unusual value, livestock, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, serving Greencastle, Pa., as an intermediate point in connection with applicant's authorized regular route operations between Knoxville, Tenn., and New York, N.Y.

NOTE: Applicant has authority to serve Greencastle, Pa., but is restricted to pickup southbound and delivery northbound only. The purpose of the instant application is to serve Greencastle, Pa., unrestricted.

HEARING: June 16, 1960, at the Penn Sherwood Hotel, 3900 Chestnut Street, Philadelphia, Pa., before Examiner Edith H. Cockrill.

No. MC 104128 (Sub No. 83) (Amendment), filed March 25, 1960, published in April 27, 1960 issue of FEDERAL REGISTER. Applicant: CAMPBELL'S SERVICE, a Corporation, 2720 River Avenue, South San Gabriel, Calif. Applicant's attorney: R. Y. Schureman, 639 South Spring Street, Los Angeles 14, Calif. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Campers* and *camp coaches,* in truckaway service, from points in California, to points in Arkansas, Florida, Illinois, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Wisconsin, Washington, and Wyoming.

HEARING: Postponed to June 20, 1960, at the Federal Building, Los Angeles, Calif., before Examiner F. Roy Linn.

No. MC 106117 (Sub No. 5), filed May 2, 1960. Applicant: RUMPF TRUCK LINE, INC., 424 South Maumee Street, Tecumseh, Mich. Applicant's attorney: Rex Eames, 1800 Buhl Building, Detroit 26, Mich. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *General commodities,* except those of unusual value, Classes A and B explosives, commodities in bulk, commodities requiring special equipment, and household goods as defined by the Commission, serving the plant site of Kelsey-Hayes Company, located at the intersection of North Line Road and Huron River Drive, Romulus Township, Wayne County, Mich., as an off-route point in connec-

tion with carrier's regular route operations to and from Ypsilanti, Mich.

HEARING: June 20, 1960, at the Olds Hotel, Lansing, Mich., before Joint Board No. 76, or, if the Joint Board waives its right to participate, before Examiner Charles J. Murphy.

No. MC 106398 (Sub No. 156), filed May 2, 1960. Applicant: NATIONAL TRAILER CONVOY, INC., 1916 North Sheridan Road, Tulsa, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boats* not exceeding 20 feet in length, from points in Maryland to all points in the United States, and *damaged or refused shipments of boats*, returned to shipper.

HEARING: June 23, 1960, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James H. Gaffney.

No. MC 107002 (Sub No. 152), filed April 15, 1960. Applicant: W. M. CHAMBERS TRUCK LINE, INC., 920 Louisiana Boulevard (P.O. Box 547), Kenner, La. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn syrup* and *liquid sugar*, and *blends of corn syrup and liquid sugar*, in bulk, in tank vehicles, from points in Jefferson County, Ala., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.

HEARING: July 18, 1960, at the Federal Office Building, 600 South Street, New Orleans, La., before Examiner Jerry F. Laughlin.

No. MC 107496 (Sub No. 157), filed March 21, 1960. Applicant: RUAN TRANSPORT CORPORATION, 408 Southeast 30th Street, Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum* and *petroleum products*, in bulk, in tank vehicles, from Superior, Wis., to points in Minnesota.

NOTE: Duplication with present authority to be eliminated.

HEARING: July 29, 1960, in Room 926, Metropolitan Building, Second Avenue South and Third, Minneapolis, Minn., before Joint Board No. 142.

No. MC 108449 (Sub No. 101), filed April 4, 1960. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul 13, Minn. Applicant's attorney: Glenn W. Stephens, 121 West Doty Street, Madison 3, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum* and *petroleum products*, in bulk, in tank vehicles, from Superior, Wis., to points in Minnesota.

NOTE: Common control may be involved. Applicant states that all duplicating authority will be eliminated.

HEARING: July 29, 1960, in Room 926, Metropolitan Building, Second Avenue South and Third, Minneapolis, Minn., before Joint Board No. 142.

No. MC 109450 (Sub No. 2), filed May 2, 1960. Applicant: ALBERT E. PIRTLE, doing business as HUB CARTAGE COMPANY, 1674 Electric, Lincoln Park, Mich. Applicant's attorney: William B. Elmer, 1800 Buhl Building, Detroit 26, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except those of unusual value, Classes A and B explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, serving the plant site of Kelsey-Hayes Company, located at the intersection of North Line Road and Huron River Drive, Romulus Township, Wayne County, Mich., as an off-route point in connection with carrier's regular route operations to and from Detroit, Mich., and the Commercial Zone thereof.

HEARING: June 20, 1960, at the Olds Hotel, Lansing, Mich., before Joint Board No. 76, or, if the Joint Board waives its right to participate, before Examiner Charles J. Murphy.

No. MC 110525 (Sub No. 416) filed April 29, 1960. Applicant: CHEMICAL TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's attorney: Leonard A. Jaskiewicz, Munsey Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials*, dry, in bulk, in trailer vehicles, and *rejected shipments* of plastic materials, between Springfield, Mass., Roanoke, Va., and Addyston, Ohio.

HEARING: June 24, 1960, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner John B. Mealy.

No. MC 111159 (Sub No. 102), filed December 23, 1959. Applicant: MILLER TRANSPORTERS, LTD., a Corporation, Highway 80 West, P.O. Box 1123, Jackson, Miss. Applicant's attorney: Phineas Stevens, 700 Petroleum Building, P.O. Box 141, Jackson, Miss. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from the site of the Marquette Cement Manufacturing Company plant, at or near Brandon, Miss., to points in Arkansas, Louisiana, and Mississippi. Applicant is authorized to conduct operations in Alabama, Arkansas, Florida, Georgia, Illinois, Kentucky, Louisiana, Mississippi, Missouri, Ohio, Oklahoma, and Tennessee.

NOTE: Any duplication with present authority to be eliminated.

HEARING: July 13, 1960, at the Robert E. Lee Hotel, Jackson, Miss., before Examiner Jerry F. Laughlin.

No. MC 112223 (Sub No. 49), filed March 25, 1960. Applicant: QUICKIE TRANSPORT COMPANY, 1121 South Seventh Street, Minneapolis 4, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal* and *Coke*, between points in Minnesota, and *empty containers* or other such incidental facilities (not specified) used in transporting the commodities specified in this application.

HEARING: July 25, 1960, in Room 926, Metropolitan Building, Second Avenue South and Third, Minneapolis, Minn., before Joint Board No. 145.

No. MC 112474 (Sub No. 4), filed April 29, 1960. Applicant: WALTER ROWAN, Allen Street Extension, P.O. Box 502, Jamestown, N.Y. Applicant's attorney: William C. Arrison, Bank of Jamestown Building, Jamestown, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, from points in Livingston County, N.Y., to points in Erie, Crawford, Mercer, Venango, Warren, McKean, and Potter Counties, Pa.

NOTE: Applicant has authority under Certificate No. MC 112474 which provides for the transportation of salt, in bulk, in dump vehicles, over irregular routes, from and to the above-specified points. Applicant states this application is submitted solely for the purpose of removing from Certificate No. MC 112474 the restrictive words "in bulk, in dump vehicles,", and in the event the instant application in its entirety, is granted, applicant will consent to revocation of Certificate No. MC 112474 since it is not intended that there be duplicating authority.

HEARING: June 24, 1960, at the Hotel Buffalo, Washington and Swan Streets, Buffalo, N.Y. before Examiner Armin G. Clement.

No. MC 112486 (Sub No. 3), filed April 4, 1960. Applicant: LEO STERNWEIS, Route 1, Marshfield, Wis. Applicant's attorney: Edward A. Solie, 1 South Pinckney Street, Madison 3, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from St. Louis, Mo., to Stratford, Wisconsin Rapids, and Stevens Point, Wis., and *empty containers or other such incidental facilities* (not specified) used in transporting the above-described commodities on return.

HEARING: July 19, 1960, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 194.

No. MC 112497 (Sub No. 159), filed April 18, 1960. Applicant: HEARIN TANK LINES, INC., 8440 Rawlins Street, Baton Rouge, La. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Naval stores* and *products and derivatives thereof, including tall oil, tall oil products and chemicals*, in bulk, in tank vehicles, from Hattiesburg, Miss., to points in Alabama, Georgia, Florida, North Carolina, South Carolina, Tennessee, Texas, Arkansas, and Louisiana.

HEARING: July 26, 1960, at the Federal Office Building, 600 South Street, New Orleans, La., before Examiner Jerry F. Laughlin.

No. MC 113666 (Sub No. 3), filed April 25, 1960. Applicant: FREEPORT TRANSPORT, INC., Box 215, Freeport, Pa. Applicant's attorney: Arthur J. Diskin, 302 Frick Building, Pittsburgh 19, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refractory products, brick, tile*, and *sewer pipe*, from points in East Deer Township, and the Borough of Tarentum, both in Allegheny County, Pa., and Porter Township, Clarion County, Pa., to points in Ohio, Michigan, West Virginia,

Virginia, Maryland, New York, New Jersey, Delaware, Rhode Island, Connecticut, Massachusetts, Indiana, Illinois, Kansas, Missouri, Kentucky, Wisconsin, and the District of Columbia, and *sand, silica, clay, and other materials* used in the production of refractory products, and *empty containers* used in transporting the above-specified commodities, on return movements.

HEARING: June 21, 1960, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Gerald F. Colfer.

No. MC 113666 (Sub No. 4), filed April 25, 1960. Applicant: FREEPORT TRANSPORT, INC., Box 215, Freeport, Pa. Applicant's attorney: Arthur J. Diskin, 302 Frick Building, Pittsburgh 19, Pa. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Refractory products, brick, tile,* and *sewer pipe,* from points in Armstrong County, Pa., to points in Indiana, Illinois, Kentucky, Kansas, Missouri, and Wisconsin, and *sand, silica, clay, and other materials* used in the production of refractory products, and *empty containers* used in transporting the above-specified commodities, on return movements.

HEARING: June 22, 1960 at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Gerald F. Colfer.

No. MC 113779 (Sub No. 121), filed April 11, 1960. Applicant: YORK INTERSTATE TRUCKING, INC., 9020 La Porte Expressway, P.O. Box 12385, Houston 17, Tex. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Chemicals,* dry, in bulk, in specialized equipment, between points in Texas, New Mexico, Oklahoma, Arkansas, Louisiana, Mississippi, Alabama, Georgia, and Florida.

HEARING: June 16, 1960, at the Federal Office Building, Franklin and Fannin Street, Houston, Tex., before Examiner Frank R. Saltzman.

No. MC 116119 (Sub No. 5), filed April 25, 1960. Applicant: JOHN F. HARRIS, doing business as HOGAN'S TRANSFER & STORAGE COMPANY, 7 Third Street, Elkins, W. Va. Applicant's attorney: Leonard A. Jaskiewicz, Munsey Building, Washington 4, D.C. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Malt beverages,* in containers, from Pittsburgh, Pa., to Elkins, W. Va., and *empty containers or other such incidental facilities* used in transporting the above-described commodities on return.

NOTE: Applicant holds common carrier authority in permit No. MC 106002 and Subs thereunder. Dual operations under section 210 may be involved.

HEARING: June 23, 1960, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner A. Lane Cricher.

No. MC 116339 (Sub No. 4), filed April 29, 1960. Applicant: J & M ENTERPRISES, INC., 1650 New Tampa Highway (P.O. Box 415), Lakeland, Fla. Applicant's attorney M. Craig Massey, Suite G, Cochrane Annex, 208 South Tennessee Avenue, Lakeland, Fla. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Salt* and *pepper,* from Hutchinson, Kans., Winnfield and New Iberia, La., to points in Alabama, Georgia, and Florida.

HEARING: July 27, 1960, at the Federal Office Building, 600 South Street, New Orleans, La., before Examiner Jerry F. Laughlin.

No. MC 117401 (Sub No. 1), filed May 9, 1960. Applicant: HANSEN BROS. ELEVATOR CO., 104 East Railroad Street, Storm Lake, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut, Des Moines 16, Iowa. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Pebble lime,* in bulk, from Duluth, Minn., and Superior, Wis., to points in Iowa (except Storm Lake and Holstein), Nebraska (except Nebraska City), and points in South Dakota south of U.S. Highway 16.

HEARING: June 21, 1960, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Leo A. Riegel.

No. MC 117439 (Sub No. 5), filed April 8, 1960. Applicant: BULK TRANSPORT, INC., 1007 Louisiana National Bank Building, Baton Rouge, La. Applicant's attorney: Harold R. Ainsworth, 2307 American Bank Building, New Orleans, La. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Cement,* in bulk, in packages and bags, from Demopolis, and Birmingham, Ala., to points in Florida, Georgia, Louisiana, Mississippi, and Tennessee, and rejected shipments on return.

HEARING: July 20, 1960, at the Federal Office Building, 600 South Street, New Orleans, La., before Examiner Jerry F. Laughlin.

No. MC 117592 (Sub No. 1) (Correction), filed April 1, 1960, published in the May 4, 1960, issue of the FEDERAL REGISTER. Applicant: GERALD L. KRAMER, Route No. 4, Quakertown, Pa. Applicant's attorney: William J. Wilcox, 624 Commonwealth Building, Allentown, Pa. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Cinders,* from points in Northampton County, Pa., to points in New Jersey and points in New York, Bronx, Kings, Queens, Richmond, Nassau, and Westchester Counties, N.Y.

NOTE: The purpose of this republication is to correctly reflect the authority sought as to points in Northampton County, Pa., indicated in error in previous publication as restricted to Northampton, Pa.

HEARING: Remains as assigned: June 14, 1960, at the Penn Sherwood Hotel, 3900 Chestnut Street, Philadelphia, Pa., before Examiner Edith H. Cockrill.

No. MC 118159 (Sub No. 3), filed April 29, 1960. Applicant: EVERETT LOWRANCE, 101 Airline Highway, New Orleans, La. Applicant's attorney: Harold R. Ainsworth, 2307 American Bank Building, New Orleans 12, La. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Wheat bran, wheat shorts, alfalfa meal* and *alfalfa pellets,* in sacks or in bulk, from points in Kansas to points in Louisiana and Mississippi.

HEARING: July 27, 1960, at the Federal Office Building, 600 South Street, New Orleans, La., before Examiner Jerry F. Laughlin.

No. MC 118362 (Sub No. 2) (REPUBLICATION), filed March 7, 1960, published in the April 20, 1960, issue of the FEDERAL REGISTER. Applicant: E. F. BUSHMAN, doing busines as SAWYER DRAY LINE, 341 North Third Avenue, Sturgeon Bay, Wis. Applicant's attorney: Robert R. Hendon, Investment Building, Washington 5, D.C. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: (1) *Frozen fruits;* (2) *frozen berries;* (3) *frozen fruit and berry concentrates,* and *fruit and berry juices,* not frozen, but requiring refrigeration; (5) *canned fruits;* (6) *canned berries;* (7) *processed and manufactured products of fruits and berries;* and (8) *fresh fruit,* and *fresh berries,* when transported on the same vehicle, and at the same time with the nonfrozen commodities described above, (A) between points in Brown, Door, and Kewaunee Counties, Wis., on the one hand, and on the other, points in Arkansas, Arizona, California, Colorado, Idaho, Illinois, Iowa, Indiana, Kansas, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, New York, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Texas, Washington, and Wyoming.

NOTE: The purpose of this republication is to eliminate item (B) published in the previous publication.

HEARING: Remains as assigned June 20, 1960, at the New County Court House, Sturgeon Bay, Wis., before Examiner Michael B. Driscoll.

No. MC 119163 (Sub No. 7), filed February 29, 1960. Applicant: ROLLING BOATS, INC., 27th Floor, Life & Casualty Tower, Nashville, Tenn. Applicant's attorney: Harold Seligman, 26th Floor; Life & Casualty Tower, Nashville 3, Tenn. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Boats* (of any size and description), loaded in special rack boat trailers, and *parts* thereof, when accompanying the boats, from points in Wisconsin and Fort Dodge, Iowa, to points in the continental United States, including the District of Columbia, and *empty containers or other such incidental facilities* (not specified) used in transporting the above-described commodities, on return.

HEARING: June 16, 1960, at the Hotel Shroeder, Milwaukee, Wis., before Examiner Michael B. Driscoll.

No. MC 119434 (Sub No. 2), filed March 31, 1960. Applicant: JOYCE TRUCKING COMPANY, a Corporation, 1621 Shields Avenue, Chicago Heights, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Acids* and *chemicals,* except in bulk, in tank vehicles, between Chicago Heights, Ill., and Chicago, Ill.

HEARING: July 14, 1960, at the Pick-Congress Hotel, Chicago, Ill., before Joint Board No. 21.

No. MC 119589, filed March 15, 1960. Applicant: JACK P. BECK, doing business as PACKAGE DELIVERY SERVICE, 449 Main Street, St. Paul 2, Minn. Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *Such merchandise* as is dealt in, and sold by wholesale and retail department stores, (1) from St. Paul, Minn., to Hudson, Wis., over U.S. Highway 12, serving all intermediate points, and (2) between Stillwater, Minn., and Hudson, Wis., over Wisconsin Highway 35, serving all intermediate points.

NOTE: Applicant indicates the proposed operations will be conducted under a continuing contract or contracts with Dayton's Department Store and will be limited to packages not exceeding 50 pounds in weight.

HEARING: July 28, 1960, in Room 926, Metropolitan Building, Second Avenue South and Third, Minneapolis, Minn., before Joint Board No. 142.

No. MC 119605, filed March 22, 1960. Applicant: CARIBOU TRUCK LINES, INC., 6810 104 Street, Edmonton, Alberta, Canada. Applicant's attorney: G. W. Robertson, North-West Trust Building, 101166 100 Street, Edmonton, Alberta, Canada. Authority sought to operate as a *contract carrier*, by motor vehicle, over a regular route, transporting: *Lumber*, and *sawmill machinery*, from Sweetgrass, Mont., to Minneapolis-St. Paul, Minn., from Sweetgrass over U.S. Highway 91 to junction U.S. Highway 2 at Shelby, Mont., thence over U.S. Highway 2 to junction U.S. Highway 59 at Erskine, Minn., thence over U.S. Highway 59 to Detroit Lakes, Minn., and thence over U.S. Highway 10 to Minneapolis-St. Paul, serving all intermediate points in Minnesota, and as off-route points the plant sites of North West Lumbers Sales Ltd. in Minnesota.

HEARING: July 28, 1960, in Room 926, Metropolitan Building, Second Avenue South and Third, Minneapolis, Minn., before Joint Board No. 224.

No. MC 119661 (Clarification), filed April 11, 1960, published FEDERAL REGISTER issue of May 4, 1960. Applicant: ARCTIC EXPRESS, INC., 2 Arctic Street, Worcester 8, Mass. Applicant's attorney: Arthur M. Marshall, 145 State Street, Springfield 3, Mass. The purpose of this republication is to advise that applicant also proposes to transport, *"Containers in which the commodities are transported."*

HEARING: Remains as assigned: June 8, 1960, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Charles J. Murphy.

No. MC 119720, filed April 29, 1960. Applicant: ROBERT N. SHUMATE, doing business as ROBERT SHUMATE, Route 10, Olympia, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *House trailers*, by towaway, between points in Thurston, Lewis, Pierce, Mason, and Grays Harbor Counties, Wash., on the one hand, and, on the other, points in Oregon, California, Arizona, Idaho, and Montana.

HEARING: June 14, 1960, at the Federal Office Building, First and Marion Street, Seattle, Wash., before Examiner Leo W. Cunningham.

MOTOR CARRIERS OF PASSENGERS

No. MC 1800 (Sub No. 26), filed April 27, 1960. Applicant: ALEXANDRIA, BARCROFT AND WASHINGTON TRANSIT COMPANY, doing business as A. B. & W. TRANSIT CO. (corporation), 600 North Royal Street, Alexandria, Va. Applicant's attorney: S. Harrison Kahn, 1110–14 Investment Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express, newspapers* and *mail* in the same vehicle with passengers, between Mount Vernon, Va., and junction U.S. Highway 1 and Virginia Highway 235: from Mount Vernon, over Virginia Highway 235 to its junction with U.S. Highway 1, and return over the same route, serving all intermediate points.

HEARING: June 23, 1960, at the U.S. Court Rooms, Richmond, Va., before Joint Board No. 108.

No. MC 1800 (Sub No. 27), filed April 27, 1960. Applicant: ALEXANDRIA, BARCROFT AND WASHINGTON TRANSIT COMPANY, doing business as A. B. & W. TRANSIT CO. (corporation), 600 North Royal Street, Alexandria, Va. Applicant's attorney: S. Harrison Kahn, 1110–14 Investment Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in special operations, seasonal during the respective racing seasons, between the City of Alexandria and points in Arlington County, Va., on the one hand, and, on the other, (1) Shenandoah Downs, at Charles Town, W. Va., and (2) the Charles Town Race Course, Charles Town, W. Va.

NOTE: Applicant states no intermediate points will be served between origin points, on the one hand, and, on the other, the destination points.

HEARING: June 24, 1960, at the U.S. Court Rooms, Richmond, Va., before Joint Board No. 245.

No. MC 1800 (Sub No. 28), filed April 27, 1960. Applicant: ALEXANDRIA, BARCROFT AND WASHINGTON TRANSIT COMPANY, doing business as A. B. & W. TRANSIT CO. (corporation), 600 North Royal Street, Alexandria, Va. Applicant's attorney: S. Harrison Kahn, 1110–14 Investment Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express, newspapers* and *mail* in the same vehicle with passengers, between Washington Quartermaster Sub-Depot, Cameron, Fairfax County, Va., and junction Little River Pike (Virginia Highway 236) with the proposed circumferential highway near Fairfax Hills, Va.: from Washington Quartermaster Sub-Depot, Cameron, Fairfax County, Va., over Virginia Highway 236 (Little River Pike), to its junction with the proposed circumferential highway near Fairfax Hills, Va., and return over the same route, serving all intermediate points.

HEARING: June 23, 1960, at the U.S. Court Rooms, Richmond, Va., before Joint Board No. 108.

No. MC 1800 (Sub No. 29), filed April 27, 1960. Applicant: ALEXANDRIA, BARCROFT AND WASHINGTON TRANSIT COMPANY, doing business as A. B. & W. TRANSIT CO. (corporation), 600 North Royal Street, Alexandria, Va. Applicant's attorney: S. Harrison Kahn, 1110–14 Investment Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in special operations, seasonal during respective racing seasons, between the City of Alexandria and points in Arlington County, Va., on the one hand, and, on the other, (1) the race track at Marlboro, Md., (2) the raceway at Rosecroft, Md., (3) the race track at Bowie, Md., (4) the race track at Laurel, Md., (5) the Pimlico Race Course at Baltimore, Md., (6) the Baltimore Raceway, located on U.S. Highway 40 just north of Baltimore, Md., (7) the Laurel Raceway at Laurel, Md., (8) the race track at Hagerstown, Md., (9) the race track at Bel Air, Md., and (10) the race track at Timonium, Md.

NOTE: Applicant states no intermediate points will be served between origin points, on the one hand, and, on the other, the destination points.

HEARING: June 22, 1960, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Joint Board No. 68.

No. MC 117394 (Sub No. 2), filed April 22, 1960. Applicant: HAROLD W. KERR, doing business as OCONOMOWOC TRANSPORT COMPANY, Route No. 1, Box 170, Oconomowoc, Wis. Applicant's attorney: Glenn R. Davis, P.O. Box 237, 241 Wisconsin Avenue, Waukesha, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in charter operations, beginning and ending at points in that part of Wisconsin bounded by a line beginning at junction Wisconsin Highway 60 and 26 near Hustisford, Wis., in southern Dodge County, and extending southerly along Wisconsin Highway 26 to junction Wisconsin Highway 89 at Ft. Atkinson, Wis., thence southerly along Wisconsin Highway 89 to a point where it intersects the south line of Jefferson County, Wis., thence east along the south line of Jefferson and Waukesha Counties, Wis., to the point where said county line intersects with Wisconsin Highway 83, thence northerly along Wisconsin Highway 83 to junction Wisconsin Highway 60 in southwestern Washington County, Wis., thence westerly along Wisconsin Highway 60 to point of beginning, and extending to points in northeastern Illinois including points in Cook, Du Page, Boone, Lake, McHenry, Kane, and De Kalb Counties, Ill., including points on the indicated portions of the highways specified.

HEARING: July 20, 1960, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 13.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING IS REQUESTED

MOTOR CARRIERS OF PROPERTY

No. MC 2900 (Sub No. 100), filed May 6, 1960. Applicant: RYDER TRUCK LINES, INC., 2050 Kings Road, P.O. Box 2408, Jacksonville, Fla. Applicant's attorney: J. Edward Allen, P.O. Box 2408, Jacksonville, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except articles of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) between Old Town, Fla., and Junction Alternate U.S. Highway 129 and U.S. Highway 27, near Branford, Fla.: from Old Town over Alternate U.S. Highway 129 to junction U.S. Highway 27 near Branford, with a right of joinder with existing authority over U.S. Highway 27, and return over the same route; (2) between Junction U.S. Highway 27 and Florida Highway 53, in Florida, and Quitman, Ga.: from Junction U.S. Highway 27 and Florida Highway 53, over Florida Highway 53 to the Florida-Georgia State Line, and thence over Georgia Highway 33 to Quitman, and return over the same route; and (3) between Atlanta, Ga., and Gadsden, Ala.: from Atlanta over U.S. Highway 78 to Austell, Ga., and thence over U.S. Highway 278 to Gadsden, and return over the same route, serving no intermediate points, as alternate routes for operating convenience only.

No. MC 28264 (Sub No. 6) filed May 5, 1960. Applicant: 3 Y MOTOR FREIGHT, INC., East 2110 Broadway Avenue, Spokane, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between Spokane, Wash., and Newport, Wash.: from Spokane over U.S. Highway 195 to Newport, and return over the same route, serving the intermediate and off-route points of Mead, Colbert, Chatteroy, Westbranch, Diamond Lake, Milan, Elk, Camden, and 3 Y Service, Wash.

NOTE: Applicant states the instant application is for route clarification purposes only.

No. MC 71902 (Sub No. 64), filed April 15, 1960. Applicant: UNITED TRANSPORTS, INC., 4900 North Santa Fe Street, Oklahoma City 18, Okla. Applicant's attorney: James W. Wrape, 2111 Sterick Building, Memphis, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automobiles*, in secondary movements by truckaway and driveaway, from St. Louis, Mo., to points in Missouri on and north of a line beginning at St. Louis, Mo., and extending along Missouri Highway 100 (formerly U.S. Highway 50) to junction U.S. Highway 50, at or near Gray Summit, Mo., thence along U.S. Highway 50, through Union, Freedom, Centertown, California, Tipton and Lee's Summit, Mo., to the Missouri-Kansas State Line.

No. MC 86687 (Sub No. 52) (Republication as amended), filed December 17, 1959, published FEDERAL REGISTER issue of January 6, 1960. Applicant: SEABOARD AIR LINE RAILROAD COMPANY, a Corporation, Seaboard Air Line Railroad Building, 3600 West Broad Street, Richmond, Va. Applicant's attorney: T. Randolph Buck, Seaboard Air Line Railroad Building, 3600 West Broad Street, Richmond, Va. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, moving as passenger baggage or in railway express or baggage car service between Wilmington, N.C., and Charlotte, N.C., from Wilmington, N.C., over U.S. Highway 74 to Bolton, N.C.; thence over North Carolina Highway 211 to Lumberton, N.C.; thence over U.S. Highway 74 to Charlotte, N.C., and return over the same route serving all intermediate points which are stations on applicant's rail line. Applicant is authorized to conduct operations in Alabama, Georgia, North Carolina, South Carolina, and Virginia. RESTRICTIONS: 1. The service to be performed by the applicant shall be limited to service which is auxiliary to or supplemental of its own rail service or Railway Express Agency service. 2. With respect to express car service such shipments transported by applicant shall be limited to those moving on a Railway Express Agency bill of lading covering in addition to a motor carrier movement by applicant, an immediately prior or immediately subsequent movement by Railway Express Agency, Inc. 3. Such further specific conditions as the Commission in the future may find necessary to impose in order to restrict applicant's operations to service which is auxiliary to or supplemental of its own rail service or Railway Express Agency service.

No. MC 87857 (Sub No. 50), filed May 9, 1960. Applicant: BRINK'S INCORPORATED, 234 East 24th Street, Chicago 16, Ill. Applicant's attorney: Francis D. Partlan, 234 East 24th Street, Chicago, Ill. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Currency, coin and securities*, between points in the Chicago, Ill., Commercial Zone, on the one hand, and, on the other, points in Adair, Adams, Allamakee, Appanoose, Audubon, Benton, Black Hawk, Boone, Bremer, Buchanan, Buena Vista, Butler, Calhoun, Carroll, Cass, Cedar, Cerro Gordo, Cherokee, Chickasaw, Clarke, Clay, Clayton, Clinton, Crawford, Dallas, Davis, Decatur, Delaware, Des Moines, Dickinson, Dubuque, Emmet, Fayette, Floyd, Franklin, Fremont, Greene, Grundy, Guthrie, Hamilton, Hancock, Hardin, Harrison, Henry, Howard, Humbolt, Ida, Iowa, Jackson, Jasper, Jefferson, Johnson, Jones, Keokuk, Kossuth, Lee, Linn, Louisa, Lucas, Lyon, Madison, Mahaska, Marion, Marshall, Mills, Mitchell, Monona, Monroe, Montgomery, Muscatine, O'Brien, Osceola, Page, Palo Alto, Plymouth, Pocahontas, Polk, Pottawattamie, Poweshiek, Ringgold, Sac, Scott, Shelby, Sioux, Story, Tama, Taylor, Union, Van Buren, Wapello, Warren, Washington, Wayne, Webster, Winnebago, Winneshiek, Woodbury, Worth, and Wright Counties, Iowa.

No. MC 103201 (Sub No. 18), filed May 4, 1960. Applicant: FRONTIER FREIGHT LINES, a Corporation, 929 South 4 West, Salt Lake City, Utah. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving Elkol, Wyo., located approximately eight (8) miles southwest of Kemmerer, Wyo., and Hams Fork Reservoir, Wyo., located approximately 14 miles northwest of Kemmerer, Wyo., as off-route points in connection with applicant's authorized regular route operations between Evanston and Big Piney, Wyo., over U.S. Highway 189.

No. MC 108461 (Sub No. 89) filed May 3, 1960. Applicant: WHITFIELD TRANSPORTATION, INC., 240 West Amador Street, Las Cruces, N. Mex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *general commodities, including dry bulk commodities* (moving in dump or hopper-type equipment), except Class A and B explosives, commodities of unusual value, household goods as defined by the Commission, and commodities requiring special equipment, between points in Hidalgo, Luna, Grant, and Dona Ana Counties, N. Mex., located south of U.S. Highway 80.

NOTE: Applicant states it owns all outstanding capital stock of Whitfield Tank Lines, Inc., MC 114897; therefore, common control may be involved.

No. MC 108671 (Sub No. 18), filed May 4, 1960. Applicant: TARBET TRUCKING, INC., 311 East 18th Street, Muncie, Ind. Applicant's representative: W. R. Hubbard, 1032 Standard Building, Cleveland 13, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving: (1) junction U.S. Highways 25 and 30–S, near Lima, Ohio; and (2) junction U.S. Highways 25 and 30–N, near Beaverdam, Ohio, for joinder purposes only.

NOTE: Applicant states the purpose of the instant application is to provide joinder with present regular routes of All States Freight, Incorporated, MC 59852, for interchange purposes only, serving no additional points and will not disturb the present competitive situation. Applicant is a wholly-owned subsidiary of All States Freight, Incorporated, and is managed and controlled directly by that carrier; therefore common control may be involved.

No. MC 111302 (Sub No. 22), filed May 10, 1960. Applicant: HIGHWAY TRANSPORT, INCORPORATED, P.O. Box 5096, Knoxville, Tenn. Applicant's attorney: Leonard A. Jaskiewicz, Munsey Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Knoxville, Tenn., to points in Kansas and Nebraska.

No. MC 119668, (CORRECTION), filed April 11, 1960, published in the FEDERAL REGISTER, issue of April 20, 1960. Applicant: FORREST RATLIFF AND AUBURN RATLIFF, doing business as RATLIFF TRUCKING SERVICE, a partnership, P.O. Box 104, Grundy, Va. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed*, for livestock and poultry consumption, from Cincinnati, Ohio, to Oakwood, Haysi, Clintwood, and Wise, Va.

NOTE: The purpose of this republication is to show the correct docket number as shown above, No. MC 119668, in lieu of No. MC 118668 previously published, in error.

MOTOR CARRIERS OF PASSENGERS

No. MC 1501 (Sub No. 190) filed May 4, 1960. Applicant: THE GREYHOUND CORPORATION, 140 South Dearborn Street, Chicago 3, Ill. Applicant's attorney: Peter K. Nevitt, Room 1500, 140 South Dearborn Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over *regular routes*, transporting: *Passengers and their baggage*, and *express, newspapers* and *mail* in the same vehicle with passengers, between West Palm Beach, Fla., and junction Florida Highways 710 and 706: from West Palm Beach over Florida Highway 702 to junction Florida Highway 809, thence over Florida Highway 809 to junction Florida Highway 710, and thence over Florida Highway 710 to junction Florida Highway 706, and return over the same route, serving all intermediate points.

NOTE: Applicant states it proposes to join or tack this authority, if granted, to its present authority at West Palm Beach, and at the junction of Florida Highways 710 and 706.

No. MC 1501 (Sub No. 191) filed May 4, 1960. Applicant: THE GREYHOUND CORPORATION, 140 South Dearborn Street, Chicago, Ill. Applicant's attorney: Raymond H. Warns, 140 South Dearborn Street, Chicago, Ill. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express, newspapers* and *mail* in the same vehicle with passengers, between Kingsport, Tenn., and Bristol, Va.-Tenn.: from Kingsport over new U.S. Highway 11W to Bristol, and return over the same route, serving all intermediate points.

NOTE: Applicant states it proposes to join or tack this authority, if granted, with its present authority at both Kingsport and Bristol.

APPLICATION FOR BROKERAGE LICENSE

MOTOR CARRIER OF PASSENGERS

No. MC 12729 (Correction), filed March 28, 1960, published in May 4, 1960 issue of FEDERAL REGISTER. Applicant: NEWBURGH TERMINAL CORPORATION, Short Line Building, Harriman, N.Y. Applicant's attorney: James F. X. O'Brien, 17 Academy Street, Newark 2, N.J. Authority sought to operate as a *BROKER (BMC 5)*, at Newburgh and Harriman, N.Y., in arranging for transportation in interstate or foreign commerce by motor vehicle, of: *Passengers and their baggage*, between points in the United States.

NOTE: Applicant states that the members of its corporation also control, or are members or directors of, Hudson Transit Lines, Inc., No. MC 228, West Fordham Transportation Corp., No. MC 116921, and Limousine Rental Service, Inc., No. MC 115456.

HEARING: Remains as assigned, June 7, 1960, at the Federal Building, Albany, N.Y., before Examiner Armin G. Clement.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carrier of property or passengers under section 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F 7497 (correction) (INDUSTRIAL TRANSIT, INC.—CONTROL AND MERGER—INDUSTRIAL TRANSPORT, INC.; DEALERS TRANSIT, INC.—PURCHASE (PORTION)—INDUSTRIAL TRANSPORT, INC.), published in the April 13, 1960, issue of the FEDERAL REGISTER on page 3196. WALTER F. CAREY and BERT B. BEVERIDGE, both of 3401 North Dort Highway, Flint, Mich., should have been shown as the controlling stockholders of DEALERS TRANSIT, INC., and as controlling INDUSTRIAL TRANSIT, INC., through AUTOMOBILE CARRIERS, INC., 3401 North Dort Highway, Flint, Mich., and C & J COMMERCIAL DRIVEAWAY, INC., 1905 West Mount Hope Avenue, Lansing, Mich.

No. MC-F 7509, J. H. ROSE TRUCK LINE, INC.—PURCHASE (PORTION)—OIL FIELD TRUCKERS, INC., published in the April 27, 1960, issue of the FEDERAL REGISTER on page 3696. The Commission has been requested to delete the name of Mr. Thomas E. James as one of applicants' attorneys.

No. MC-F 7517. Authority sought for purchase by GEO. W. WEAVER & SON, INC., 539 North Front Street, Steelton, Pa., of a portion of the operating rights of KEYSTONE EXPRESS AND STORAGE COMPANY, INC., 539 North Mulberry Street, Lancaster, Pa., and for acquisition by CHARLES B. WEAVER, SR., and GRACE M. WEAVER, both of 539 North Front Street, Steelton, Pa., STANTON E. WEAVER, 1800 Brandt Avenue, New Cumberland, Pa., CHARLES B. WEAVER, JR., 13 Jefferson Street, Steelton, Pa., and KENNETH P. WEAVER, 49 South Fourth Street, Steelton, Pa., of control of such rights through the purchase. Applicants' attorney: John M. Musselman, State Street Building, Harrisburg, Pa. Operating rights sought to be transferred: *Household goods*, as defined by the Commission, as a *common carrier* over irregular routes, between points in that part of Pennsylvania south of U.S. Highway 22 and east of U.S. Highway 15, including points on the indicated portions of the highways specified, on the one hand, and, on the other, points in Rhode Island, New Hampshire, Indiana, Illinois, Georgia, North Carolina, South Carolina, and the lower peninsula of Michigan. Vendee is authorized to operate as a *common carrier* in Pennsylvania, Virginia, Maryland, West Virginia, New York, New Jersey, Delaware, Massachusetts, Connecticut, Ohio, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-7526. Authority sought for purchase by JESSE A. KRONINGER, INC., R.D. No. 1, Mertztown, Pa., of a portion of the operating rights of FLORENCE F. DAVIS, doing business as DAVIS TRUCKING CO., Pottsville Boulevard, Pottsville, Pa., and for acquisition by JESSE A. KRONINGER, also of Mertztown, of control of such rights through the purchase. Applicants' attorney: Robert H. Griswold, Commerce Building, P.O. Box 432, Harrisburg, Pa. Operating rights sought to be transferred: *Coal*, as a *common carrier* over irregular routes from points in Schuylkill County, Pa., to Pennsgrove, Millville, and points in Hunterdon, Mercer, Middlesex, Morris, Somerset, Sussex, Union, and Warren Counties, N.J.; *cinders* from points in Carbon and Schuylkill Counties, Pa., to points in Camden, Salem, Gloucester, Cumberland, Middlesex and Union Counties, N.J. Vendee is authorized to operate as a *common carrier* in New York, New Jersey, Delaware, Maryland, and Pennsylvania. Application has not been filed for temporary authority under section 210a(b).

No. MC-F7527. Authority sought for control by REDWING CARRIERS, INC., Palm River Road, P.O. Box 426, Tampa 1, Fla., of ROCKANA CARRIERS, INC., Palm River Road, P.O. Box 426, Tampa 1, Fla., and for acquisition by CHARLES E. MENDEZ, also of Tampa, of control of ROCKANA CARRIERS, INC., through the acquisition by REDWING CARRIERS, INC. Applicant's attorney: James E. Wilson, 716 Perpetual Building, 111 E Street NW., Washington, D.C. ROCKANA CARRIERS, INC., presently operates in interstate or foreign commerce in Florida under the partial exemption from the certificate requirements of the Interstate Commerce Act contained in the second proviso of section 206(a)(1) under BMC 75 statement in No. MC 99943. Issuance of a certificate has been authorized in No. MC 99943 Sub 1 to ROCKANA CAR-

RIERS, INC., authorizing the transportation, as a *common carrier* over irregular routes, of *sulphur*, in bulk, between points in Hillsborough County, Fla., and from points in Hillsborough County, Fla., to points in Alabama and Georgia; *ammonia nitrate*, in bulk from points in Chatham County, Ga., to points in Florida; *salt*, in bulk, from points in Hillsborough County, Fla., to points in Polk County, Fla.; *phosphates*, including super-phosphates and triple-super phosphates, from points in Hillsborough and Polk Counties, Fla., to points in Hillsborough County, Fla.; *fertilizer and fertilizer materials*, including phosphates, but excepting insecticides in bags, between points in Hillsborough County, Fla., and from points in Polk County, Fla., to points in Hillsborough County, Fla. REDWING CARRIERS, INC., is authorized to operate under the Second Proviso of section 206(a) (1) of the Interstate Commerce Act as a *common carrier* in Florida. Application has not been filed for temporary authority under section 210a(b).

No. MC–F 7528. Authority sought for control and merger by CONWELL CORPORATION, 175 Linfield Drive, Menlo Park, Calif., of the operating rights and property of FROZEN FOOD EXPRESS, Belt Line and Finley Road, Irving, Tex. (mail address P.O. Box 5888, Dallas 22, Tex.), and for acquisition by CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, also of Menlo Park, of control of such rights and property through the transaction. Applicant's attorney: William J. Hickey, 175 Linfield Drive, Menlo Park, Calif. Operating rights sought to be controlled and merged: *Frozen foods, meats, meat products, meat by-products, articles distributed by meat-packing houses*, as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, *dairy products* as defined by the Commission, *salad dressing, yeast, uncooked bakery goods, fruits and vegetables, table sauces, prepared jellies, peanut butter, condensed milk and cream, game, poultry, rabbits, sausage, venison, pizza mix, cheese, frozen fruits and vegetables, bakery goods, salads, candy, frozen eggs, pizza, rice pudding, vegetable oil, jams, grape juice, preserves, dry ice, confections, shelled nuts, oleomargarine, butter*, and *shortening*, as a *common carrier* over irregular routes, from, to or between points and areas, varying with the commodity transported, in Texas, Louisiana, Illinois, Michigan, Oklahoma, Missouri, Arkansas, Tennessee, Mississippi, Wisconsin, Minnesota, California, Iowa, Kansas, Nebraska, Ohio, Pennsylvania, Kentucky, Indiana, Arizona, and New Mexico, with certain restrictions as more specifically described in Certificates Nos. MC 108207 Subs 1 et al.; those rights claimed in an application seeking a "grandfather" certificate under section 7 of the Transportation Act of 1958, viz, *frozen fruits, frozen berries*, and *frozen vegetables*, from points in Tennessee and Kansas to points in Arizona, Illinois, Minnesota, Tennessee, Nebraska, and Oklahoma, from points in Michigan to points in Kansas, Nebraska, Iowa, Minnesota, and California, from points in Arkansas to points in Ohio, Wisconsin, Tennessee, California, and Arizona, from points in Texas to points in Ohio, from points in Wisconsin to points in Texas and Missouri, from points in Nebraska to points in Minnesota and California, from points in Minnesota to points in Oklahoma, Texas, Louisiana, and Missouri, from points in Missouri to points in Iowa and Nebraska, and from points in California to points in New Mexico, Arizona, Indiana, Ohio, Minnesota, Pennsylvania, Wisconsin, Arkansas, Oklahoma, Mississippi, Illinois, Missouri, Kansas, Nebraska, Michigan, Iowa, and Tennessee; *bananas*, from points in Texas to points in Texas, Iowa, Oklahoma, Ohio, Tennessee, Missouri, Kentucky, Nebraska, Wisconsin, Kansas, Michigan, and Minnesota, and from points in Louisiana to points in Missouri, Illinois, Kansas, Minnesota, Indiana, Texas, Oklahoma, Iowa, and Nebraska; *cocoa beans, coffee beans*, and *tea*, from points in Louisiana to points in Illinois and Texas; *commodities* which are exempt from economic regulation and /or from the certificate provisions of the Interstate Commerce Act, Part II, section 203(b)(6) (49 U.S.C.A. 303(b)(6)), between points in Texas, Louisiana, Illinois, Michigan, Missouri, Arkansas, Oklahoma, Mississippi, Wisconsin, Minnesota, California, Tennessee, Kansas, Iowa, Nebraska, Pennsylvania, Kentucky, Indiana, Ohio, Arizona, and New Mexico. CONWELL CORPORATION holds no authority from this Commission. However, it is affiliated with CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, which is authorized to operate as a *common carrier* in Utah, Alaska, Arizona, California, Colorado, Idaho, Illinois, Indiana, Iowa, Washington, Kentucky, Michigan, Minnesota, Montana, Nebraska, Nevada, Wisconsin, Missouri, New Mexico, North Dakota, Ohio, Oregon, Pennsylvania, South Dakota, West Virginia, Wisconsin, Wyoming, Alabama, Hawaii, and Maryland. Application has not been filed for temporary authority under section 210a(b).

No. MC–F 7529. Authority sought for purchase by INTERSTATE MOTOR LINES, INC., 235 West Third South Street, Salt Lake City 1, Utah, of the operating rights of HIGHWAY TRANSPORT, INC., 195 Channel Street, San Francisco 7, Calif., and for acquisition by T. S. CARTER, also of Salt Lake City, of control of such rights through the purchase. Applicants' attorneys: Berol and Geernaert, 100 Bush Street, Suite 620, San Francisco 4, Calif., and James M. Connors, Board of Trade of San Francisco, 989 Market Street, San Francisco 3, Calif. Operating rights sought to be transferred: *General commodities*, as a *common carrier* over regular routes, between San Francisco, Calif., and Pacific Grove, Calif., between San Francisco, Calif., and Soledad, Calif., between Half Moon Bay, Calif., and San Mateo, Calif., between San Gregorio, Calif., and Redwood City, Calif., between junction California Highways 1 and 5 at a point approximately three miles south of Daly City, Calif., and La Honda, Calif., between Sunnyvale, Calif., and Santa Cruz, Calif., between Mountain View, Calif., and San Jose, Calif., between Alviso, Calif., and junction unnumbered highway and U.S. Highway 101 at a point approximately three miles south of Alviso, between Gilroy, Calif., and Watsonville, Calif., from Betabel, Calif., over unnumbered highway (known as Chittenden Pass) to junction unnumbered highway at a point approximately five miles east of Watsonville, and return over the same route, between Betabel, Calif., and junction unnumbered highway and U.S. Highway 101 at a point approximately one-half mile south of Santa Rita, Calif., and between Castroville, Calif., and Pacific Grove, Calif., serving certain intermediate and off-route points and restricted against the transportation of berries, green fruits, vegetables, poultry and eggs northbound from points located between Aptos and Betabel; *general commodities*, excepting, among others, household goods and commodities in bulk, from San Francisco, Calif., to Tulare, Calif., and from San Francisco, Calif., to Monterey, Calif., serving all intermediate points, restricted to delivery only, and the off-route points of Visalia and Hanford, Calif.; *general commodities*, excepting, among others, household goods and commodities in bulk, over irregular routes, between San Francisco, Calif., and points in San Francisco County, Calif.; operations under the Second Proviso of section 206(a)(1), Interstate Commerce Act, covering the transportation of *general commodities*, with certain exceptions, as a *common carrier* over regular routes, in the State of California, the exceptions and routes being more specifically described in Dockets Nos. MC 51244 Subs 1, 2, 3, 4, 5, 6, 8, 9, 10, 11 and 12. Vendee is authorized to operate as a *common carrier* in Arizona, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Missouri, Nebraska, Nevada, Oregon, Washington, Utah, and Wyoming. Application has been filed for temporary authority under section 210a(b).

NOTE: An application will be filed at a later date as a matter directly related.

No. MC–F 7531. Authority sought for merger into KLUG TRUCKING CO., 1505 Singer Avenue, Hamilton, Ohio, of the operating rights and property of THE DIRECT TRANSPORTATION COMPANY, 1172 Rosemary Boulevard, Akron, Ohio, and UNION EXPRESS CO., 1505 Singer Avenue, Hamilton, Ohio, and for acquisition by EUGENE V. KLUG, also of Hamilton, of control of such rights and property through the transaction. Applicants' attorney: James M. Burtch, 44 East Broad Street, Columbus, Ohio. Operating rights sought to be merged: (DIRECT) Operations under the Second Proviso of section 206(a)(1), Interstate Commerce Act, covering the transportation of *property*, as a *common carrier*, in Ohio, over irregular routes, (1) from and to Columbus and so much of Franklin County as is included within the radius of fifteen miles from the intersection of Broad and High Streets, restricted against the transportation of property to or from Westerville, Worthington, Groveport, and Grove City, and

such other points where further certificates may be granted, originating at or destined to any other point than Columbus, (2) from and to Cleveland, and (3) from and to Akron; *household goods, office furniture and fixtures,* to and from any point within Cuyahoga County and to and from any point in Summit County, restricted against the transportation of such commodities from and to any point in Summit County, other than Akron, where the principal place of business of a certificate holder operating van equipment is located; (UNION) operations under the Second Proviso of section 206(a)(1), Interstate Commerce Act, covering the transportation of *property,* as a *common carrier* over irregular routes, in Ohio, from and to Dayton. KLUG TRUCKING CO. is authorized to operate as a *common carrier* in Ohio under the Second Proviso of section 206(a)(1), Interstate Commerce Act. Application has not been filed for temporary authority under section 210a(b).

No. MC–F 7533. Authority sought for purchase by DONALDSON TRANSFER COMPANY, 213 Witry Street, Waterloo, Iowa, of the operating rights and property of NELSON TRANSPORT, INC., 3004 East 14th Street, Des Moines, Iowa, and for acquisition by JOHN E. WARREN, also of Waterloo, of control of such rights and property through the purchase. Applicants' attorney: Charles W. Singer, 33 North La Salle Street, Chicago 2, Ill. Operating rights sought to be transferred: *Mill feed, building materials, farm hardware, farm machinery,* and *farm supplies,* as a *common carrier* over regular routes from Galesburg, Ill., to Yarmouth, Iowa, and from Peoria, Ill., to Yarmouth, Iowa, serving certain intermediate and off-route points; *farm commodities* and *farm machinery,* over irregular routes, between Nebraska City, Nebr., and points in Nebraska within 50 miles of Nebraska City, on the one hand, and, on the other, points in Iowa; *road-building equipment,* between points in Oklahoma, Kansas, and Texas; *tractors* and *tractor parts,* from Charles City, Iowa, to St. Louis, Mo., and certain points in Illinois; *farm machinery,* and *parts thereof,* from Racine, Wis., and Burlington, Iowa, to points in DeWitt, Logan, Macon and Sangamon Counties, Ill. Vendee is authorized to operate as a *common carrier* in 48 States and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC–F 7534. Authority sought for control and merger by McCARTY TRUCK LINE, INC., 729 West 15th Street, Trenton, Mo., of the operating rights and property of TRENTON MOTOR XPRESS, INC., 729 West 15th Street, Trenton, Mo., and for acquisition by J. H. McCARTY, also of Trenton, of control of such rights and property through the transaction. Applicants' attorneys: Wentworth E. Griffin or Frank W. Taylor, Jr., both of 1012 Baltimore Avenue, Kansas City, Mo. Operating rights sought to be controlled and merged: Operations under the Second Proviso of section 206(a)(1) of the Interstate Commerce Act covering the transportation of *property* as a *common carrier* over regular and irregular routes in the State of Missouri, as more specifically described in Docket No. MC 98277. McCARTY TRUCK LINE, INC., is authorized to operate as a *common carrier* in Missouri, Kansas, Illinois, Indiana, Iowa, and Nebraska. Application has not been filed for temporary authority under section 210a(b).

NOTE: An application will be filed at a later date as a matter directly related.

No MC–F 7535. Authority sought for control and merger by BRANCH MOTOR EXPRESS COMPANY, 300 Maspeth Avenue, Brooklyn 11, N.Y., of the operating rights and property of MURDOCH & HATCH MOTOR TRANSPORT, INC., 300 Maspeth Avenue, Brooklyn 11, N.Y., and for acquisition by MEYER J. BUTENSKY and EMANUEL BURTEN, both of Brooklyn, of control of such rights and property through the transaction. Applicants' attorney: Clarence D. Todd, 1825 Jefferson Place NW., Washington 6, D.C. Operating rights sought to be controlled and merged: *General commodities,* excepting, among others, household goods and commodities in bulk, as a *common carrier* over regular routes, between Boston, Mass., and Stamford, Conn., between Boston, Mass., and New London, Conn., between Boston, Mass., and New Haven, Conn., between Boston, Mass., and Hartford, Conn., between Boston Mass., and North Adams, Mass., between New Bedford, Mass., and Danbury, Conn., between Greenfield, Mass., and New Haven, Conn., between Sturbridge, Mass., and North Adams, Mass., between Providence, R.I., and Worcester, Mass., between Danbury, Conn., and New York, N.Y., and between Torrington, Conn., and New York, N.Y., serving certain intermediate and off-route points; *agricultural commodities,* over irregular routes, from New York, N.Y., to Worcester, Mass.; *fresh tomatoes,* from Boston, Mass., to Washington, D.C.; *frozen fish livers,* from Boston, Mass., to Provincetown, Mass.; *groceries,* from Albany, N.Y., to Springfield, Mass.; *malt beverages,* from Utica, N.Y., to Waterbury, Bridgeport, and Hartford, Conn.; *packing-house products, dairy products, agricultural commodities,* and *cloth,* from Boston, Mass., to Albany, N.Y.; *petroleum and petroleum products,* in containers, from Sewaren, N.J., to Bristol and Torrington, Conn.; *yeast, paper, groceries, tobacco, liquor, agricultural commodities, candy,* and *packing-house products,* between New York, N.Y., and Boston, Mass. BRANCH MOTOR EXPRESS COMPANY is authorized to operate as a *common carrier* in New York, Maryland, Pennsylvania, New Jersey, Delaware, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

MOTOR CARRIERS OF PASSENGERS

No. MC–F 7532. Authority sought for purchase by W. R. CHESTER, doing business as TRENTON-ST. JOSEPH COACHES, P.O. Box 525, 1801 South Ninth Street, St. Joseph, Mo., of the operating rights and property of THE CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION, 139 West Van Buren Street, Chicago 5, Ill. Applicants' attorney: C. G. Hayes, Jr., 139 West Van Buren, Chicago 5, Ill. Operating rights sought to be transferred: *Passengers and their baggage,* and *express, mail,* and *newspapers,* in the same vehicle with passengers, as a *common carrier* over regular routes, between St. Joseph, Mo., and Topeka, Kans., and between junction U.S. Highway 73 and unnumbered highway (approximately one-fourth of a mile west of Pierce Junction Corner, Kans.), and junction unnumbered highway and Kansas Highway 20, serving certain intermediate points. Vendee is authorized to operate as a *common carrier* in Missouri and Kansas. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 60–4485; Filed, May 17, 1960; 8:48 a.m.]

[Notice 314]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 13, 1960.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC 63053. By order of May 11, 1960, the Transfer Board approved the transfer to Short Way Lines, Incorporated, Somerset, Ky., of Certificate No. MC 107237, issued March 19, 1959, to Kenneth Bastin and Carlus B. LaFavers, doing business as Short Way Lines, Somerset, Ky., authorizing the transportation of: Passengers and their baggage, and express, mail, and newspapers, in the same vehicle with passengers, over regular routes, between the Tennessee-Kentucky State line, and Albany, Ky., between Sparta, Tenn., and the Tennessee-Kentucky State line, between Somerset, Ky., and junction Kentucky Highways 80 and 910, between Somerset, Ky., and Burnside, Ky., between Liberty, Ky., and Phil, Ky., between junction Kentucky Highways 80 and 910 and junction Kentucky Highways 80 and 910, between Liberty, Ky., and Bardstown, Ky., between Bardstown, Ky., and Louisville, Ky., and between Albany, Ky., and Burnside, Ky., serving all intermediate points on the highways specified. Viley

O. Blackburn, First National Bank Building, Somerset, Ky., for applicants.

[SEAL] HAROLD D. McCOY,
Secretary.

[F.R. Doc. 60-4486; Filed, May 17, 1960; 8:49 a.m.]

[Rev. S. O. 562, Taylor's I.C.C. Order 115]

MINNEAPOLIS, ST. PAUL & SAULT STE. MARIE RAILROAD CO.

Diversion or Rerouting of Traffic

In the opinion of Charles W. Taylor, Agent, the Minneapolis, St. Paul & Sault Ste. Marie Railroad Company account floods in the Eben Junction, Michigan area is unable to make deliveries to the Lake Superior & Ishpeming Railroad Company at Eben Junction, Michigan: *It is ordered,* That:

(a) Rerouting traffic: The Minneapolis, St. Paul & Sault Ste. Marie Railroad Company and its connections are hereby authorized to divert or reroute such traffic over any available route to expedite the movement, regardless of routing shown on the waybill. The billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained: The railroad desiring to divert or reroute traffic under this order shall confer with the proper transportation officer of the railroad or railroads to which such traffic is to be diverted or rerouted, and shall receive the concurrence of such other railroads before the rerouting or diversion is ordered.

(c) Notification to shippers: The carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic by said Agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which were applicable at the time of shipments on the shipments as originally routed.

(e) In executing the directions of the Commission and of such Agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with the pertinent authority conferred upon it by the Interstate Commerce Act.

(f) Effective date: This order shall become effective at 12:01 p.m., May 10, 1960.

(g) Expiration date: This order shall expire at 11:59 p.m., May 20, 1960, unless otherwise modified, changed, suspended or annulled.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., May 10, 1960.

INTERSTATE COMMERCE COMMISSION,
CHARLES W. TAYLOR,
Agent.

[F.R. Doc. 60-4487; Filed, May 17, 1960; 8:49 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 270]

KANSAS

Declaration of Disaster Area

Whereas, it has been reported that during the month of May 1960, because of the effects of certain disasters, damage resulted to residences and business property located in certain areas in the State of Kansas;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b) of the Small Business Act may be received and considered by the Offices below indicated from persons or firms whose property situated in the following County (including any areas adjacent to said County) suffered damage or destruction as a result of the catastrophe hereinafter referred to:

County: Harvey (flood occurring on or about May 4, 1960).

Offices: Small Business Administration Regional Office, Home Savings Building, Fifth Floor, 1006 Grand Avenue, Kansas City 6, Mo. Small Business Administration Branch Office, Board of Trade Building, Room 215, 120 South Market Street, Wichita 2, Kans.

2. No special field offices will be established at this time.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to November 30, 1960.

Dated: May 9, 1960.

PHILIP McCALLUM,
Administrator.

[F.R. Doc. 60-4481; Filed, May 17, 1960; 8:48 a.m.]

[Declaration of Disaster Area 271]

ALASKA

Declaration of Disaster Area

Whereas, it has been reported that during the month of May 1960, because of the effects of certain disasters, damage resulted to residences and business property located in certain areas in the State of Alaska;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b) of the Small Business Act may be received and considered by the Offices below indicated from persons or firms whose property situated in areas adjacent to the Chena River in the vicinity of Fairbanks, Alaska, suffered damage or destruction as a result of the catastrophe hereinafter referred to:

Disaster: (Flood occurring on or about May 4 and 5, 1960).

Offices: Small Business Administration Regional Office, Smith Tower, Room 1220, 506 Second Avenue, Seattle 4, Wash. Small Business Administration Branch Office, U.S. Post Office & Court House, P.O. Box 1253, Anchorage, Alaska.

2. No special field offices will be established at this time.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to November 30, 1960.

Dated: May 9, 1960.

PHILIP McCALLUM,
Administrator.

[F.R. Doc. 60-4482; Filed, May 17, 1960; 8:48 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

Issuance to Various Industries

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulations on employment of learners (29 CFR Part 522), and Administrative Order No. 524 (24 F.R. 9274) the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the Act. The effective and expiration dates, occupations, wage rates, number or proportion of learners, learning periods, and the principal product manufactured by the employer for certificates issued under general learner regulations (§§ 522.1 to 522.11) are as indicated below. Conditions provided in certificates issued under special industry regulations are as established in these regulations.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.20 to 522.24, as amended).

The following learner certificates were issued authorizing the employment of 10 percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

Blue Ridge Manufacturers, Inc., Petersburg, Va.; effective 5–2–60 to 5–1–61 (girls' and women's jeans).

Camp Hill Industries, Camp Hill, Ala.; effective 4–30–60 to 4–29–61. Learners may not be engaged at special minimum wage rates in the production of separate skirts (ladies' sportswear).

Covington Industries, Inc., Opp, Ala.; effective 5–2–60 to 5–1–61 (Government utility shirts).

Glen Lyon Brassiere & Corset Co., 44 Carey Avenue, Wilkes-Barre, Pa.; effective 5–1–60 to 4–30–61 (corsets and allied garments).

La Follette Shirt Co., Inc., 125 First Street, La Follette, Tenn.; effective 5–7–60 to 5–6–61 (men's dress shirts).

Putnam Manufacturing Co., Cookeville, Tenn.; effective 5–1–60 to 4–30–61 (men's work pants).

Reliance Manufacturing Co., Magnolia Factory, Laurel, Miss.; effective 5–1–60 to 4–30–61 (men's and boys' sport shirts).

Boris Smoler and Sons, Inc., 600–620 Crawford Avenue, Elkhart, Ind.; effective 5–7–60 to 5–6–61 (dresses).

Wildman Manufacturing Co., 920 Washington Avenue, St. Louis, Mo.; effective 5–2–60 to 5–1–61 (cotton dresses).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

H & M Dress Co., R.D. No. 1, Main Street, Laflin, Wilkes-Barre, Pa.; effective 4–30–60 to 4–29–61; five learners (ladies' dresses).

Protexall, Inc., 750 West Main Street, Galesburg, Ill.; effective 4–28–60 to 4–27–61; six learners (men's pants, shirts, jackets, coveralls and shop coats).

Putnam Manufacturing Co., Inc., River Street Mill Building No. 2, North Grosvenor Dale, Conn.; effective 5–2–60 to 5–1–61; five learners (children's snow suits).

Boris Smoler and Sons, Inc., 507 Jefferson, La Porte, Ind.; effective 5–1–60 to 4–30–61; 10 learners (dresses).

The following learner certificate was issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

Greensboro Manufacturing Corp., 1900 East Bessemer Avenue, Greensboro, N.C.; effective 5–2–60 to 11–1–60; 25 learners (women's and children's flannelette and cotton nightwear).

Glove Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.60 to 522.66, as amended).

The Boss Manufacturing Co., 3012 South Adams Street, Peoria, Ill.; effective 5–1–60 to 4–30–61; 10 percent of the total number of machine stitchers for normal labor turnover purposes (work gloves).

20th Century Glove Co., Reeseville, Wis.; effective 5–5–60 to 5–4–61; five learners for normal labor turnover purposes (work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.40 to 522.44, as amended).

Corinth Seamless Hosiery, Inc., 311 South Liddon Lake Road, Corinth, Miss.; effective 5–2–60 to 11–1–60; 10 learners for plant expansion purposes (seamless).

Shoe Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.50 to 522.55, as amended).

Casey Manufacturing Co., East Main Street, Casey, Ill.; effective 4–27–60 to 4–26–61; 10 percent of the total number of factory production workers for normal labor turnover purposes (children's and misses' shoes).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.11, as amended).

The following learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, learner rates, occupations, learning periods, and the number or proportion of learners authorized to be employed, are as indicated.

Barry Corp., Barrio Obrero Station, Santurce, P.R.; effective 4–18–60 to 4–17–61; 10 learners for normal labor turnover purposes in the occupation of sewing machine operators for a learning period of 480 hours at the rates of 57 cents an hour for the first 240 hours and 66 cents an hour for the remaining 240 hours (fabric and leather gloves).

Caribe Sports Co., Inc., San German, P.R.; effective 4–11–60 to 4–10–61; 5 learners for normal labor turnover purposes in the occupations of: (1) sewing machine operators, and hand lacers, each for a learning period of 320 hours at the rates of 47 cents an hour for the first 160 hours and 55 cents an hour for the remaining 160 hours; (2) die and clicker machine operators for a learning period of 160 hours at the rate of 47 cents an hour (baseball gloves and mitts).

Caribe Sports Co., Inc., San German, P.R.; effective 4–11–60 to 10–10–60; 25 learners for plant expansion purposes in the occupations of: (1) sewing machine operators, and hand lacers, each for a learning period of 320 hours at the rates of 47 cents an hour for the first 160 hours and 55 cents an hour for the remaining 160 hours; (2) die and clicker machine operators for a learning period of 160 hours at the rate of 47 cents an hour (baseball gloves and mitts).

Compex Undergarment Corp., Coamo, P.R.; effective 4–11–60 to 10–10–60; 20 learners for plant expansion purposes in the occupation of sewing machine operators for a learning period of 480 hours at the rates of 53 cents an hour for the first 240 hours and 62 cents an hour for the remaining 240 hours (ladies' underwear).

Corozal Knitting Mills, Inc., Corozal, P.R.; effective 4–18–60 to 10–17–60; 15 learners for plant expansion purposes in the occupation of finger closing for a learning period of 480 hours at the rates of 51 cents an hour for the first 240 hours and 59 cents an hour for the remaining 240 hours (supplemental certificate) (knitted gloves and mittens).

General Electric Switchgear, Inc., Palmer, P.R.; effective 4–11–60 to 4–10–61; 11 learners for normal labor turnover purposes in the occupations of: (1) punch press operators, screw machine operators, milling machine operators, welders, female assembler class 3, male assembler class 3, each for a learning period of 480 hours at the rates of 80 cents an hour for the first 240 hours and 90 cents an hour for the remaining 240 hours; (2) drill press operators, miscellaneous machine operators, machine set-up man, female assembler class 2, each for a learning period of 240 hours at the rate of 80 cents an hour (electrical products).

Evelyn Judith Products, Inc., Corozal, P.R.; effective 4–4–60 to 10–3–60; 25 learners for plant expansion purposes in the occupation of machine stitching for a learning period of 480 hours at the rates of 51 cents an hour for the first 240 hours and 59 cents an hour for the remaining 240 hours (sewing of leather palms on knitted gloves).

Marcat, Inc., Rio Piedras, P.R.; effective 4–7–60 to 9–13–60; 30 learners for plant expansion purposes in the occupation of gun mount assembler for a learning period of 480 hours at the rates of 80 cents an hour for the first 240 hours and 90 cents an hour for the remaining 240 hours (replacement certificate) (assembly of television gun mounts).

Porto Corp., Div. "A", Road to Lares, Utuado, P.R.; effective 4–4–60 to 10–3–60; 80 learners for plant expansion purposes in the occupations of: (1) sewing machine operators for a learning period of 480 hours at the rates of 54 cents an hour for the first 240 hours and 63 cents an hour for the remaining 240 hours; (2) final inspection of fully assembled garments for a learning period of 160 hours at the rate of 54 cents an hour (men's and boys' T-shirts).

Puerto Rico Hosiery Mills, Inc., and/or Arecibo Knitting Mills, Inc., Arecibo, P.R.; effective 4–11–60 to 2–9–61; 15 learners for normal labor turnover purposes in the occupations of knitting, and mending for a learning period of 960 hours at the rates of 56 cents an hour for the first 480 hours and 62 cents an hour for the remaining 480 hours (replacement certificate) (full-fashioned hosiery).

Superior Knitting Corp., Aguas Buenas, P.R.; effective 4–11–60 to 4–10–61; 14 learners for normal labor turnover purposes in the occupations of hand fashioning knitting machine operators for a learning period of 480 hours at the rates of 72 cents an hour for the first 240 hours and 84 cents an hour for the remaining 240 hours (sweaters).

Wayne Industries, Inc., Catano, P.R.; effective 4–21–60 to 4–20–61; 28 learners for normal labor turnover purposes in the occupations of sewing machine operators, and looping machine operators, each for a learning period of 480 hours at the rates of 60 cents an hour for the first 320 hours and 70 cents an hour for the remaining 160 hours (girdles).

Wayne Industries, Inc., Catano, P.R.; effective 4–21–60 to 7–20–60; 30 learners for plant expansion purposes in the occupations of looping and sewing, each for a learning period of 480 hours at the rates of 60 cents an hour for the first 320 hours and 70 cents an hour for the remaining 160 hours (replacement certificate (women's girdles).

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9.

Signed at Washington, D.C., this 5th day of May 1960.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 60–4426; Filed, May 16, 1960; 8:48 a.m.]

CUMULATIVE CODIFICATION GUIDE—MAY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during May.